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## United States Department of Agriculture,

### BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 8701-8750.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 19, 1921.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**S701 (Supplement to Notice of Judgment 6623). Misbranding of mineral water. C. L. Bradley, claimant of 275 Cases of Mineral Water, v. United States. Decision by the Circuit Court of Appeals for the Fifth Circuit affirming the judgment of condemnation and forfeiture of the lower court. (F. & D. No. 8752. I. S. Nos. 8762-p, 8763-p. S. No. C-806.)**

On February 22, 1919, C. L. Bradley, appellant, by his counsel, filed a motion for a new trial in a case involving the condemnation of 275 cases of mineral water which had been shipped by the Robinson Springs Co., Pocahontas, Miss., from the State of Mississippi into the State of Louisiana, and thereafter condemned by the court after a verdict by the jury finding the same to have been misbranded in violation of the Food and Drugs Act, and on the same date said motion was argued and overruled by the court.

On March 7, 1919, the prayer for appeal and notice of appeal was filed, on March 8 an order was entered granting an appeal to the Circuit Court of Appeals for the Fifth Circuit, and on March 10, 1919, the assignments of alleged errors for the trial court were filed.

Thereafter, the case having come on for final disposition in the said Circuit Court of Appeals, on March 18, 1920, the decree of the lower court condemning and forfeiting the product as misbranded was affirmed, as will more fully appear from the following decision by said Circuit Court of Appeals (before Walker, *C. J.*, and Grubb and Call, *D. J.*, Call, *D. J.*, delivering the opinion of the court):

Libel was filed in the United States District Court for the Western District of Louisiana, against 275 cases of mineral water, praying for confiscation and condemnation of same for having been shipped in interstate commerce in violation of the Food and Drugs Act.

The libel, after alleging the shipment of the cases of mineral water in interstate commerce and the presence of the same within the jurisdiction of the court, alleges that the same were misbranded in the following respects:

"That the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, 'Robinson Springs Water, Springs at Pocahontas, Miss. Recommended in the treatment of Bright's Disease, Diabetes, Dropsy, Cystitis, Gout, Rheumatism, Indigestion, Kidney and Bladder troubles. Directions \* \* \* Robinson Springs and Sanitarium Co., Pocahontas, Miss.,' were false and fraudulent, in that the same were applied to said articles knowingly and in a reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser thereof, and create in the minds of purchasers thereof, the impression and belief that it was in whole or in part composed of or contained ingredients or medical agents effective among other things, as a remedy for Bright's disease, diabetes, dropsy, cystitis, gout, rheumatism, indigestion, kidney and bladder troubles, when in truth and in fact said article was not in whole or in part composed of and did not contain ingredients, nor a combination of ingredients, capable of producing the therapeutic effects claimed on the labels, and therefore not effective as a treatment for said above-mentioned ailments."

C. L. Bradley put in a claim to the water seized by the marshal, and excepted to the libel: (1) That the label does not disclose that the waters contained in the bottles are misbranded, because the label does not claim that the waters contain any ingredients or substance for the cure of any human ailment; (2) the label described in the libel does not pretend that the waters contain medical agents effective as a remedy for human disease; (3) that the labels set out in the libel do not amount in law to a misbranding.

An answer was also filed admitting the shipment in interstate commerce, and the labels as set out in the libel, and were intended for sale as a mineral water recommended to be freely used in the treatment of certain diseases; that the same were in the jurisdiction of the court, but denies that they were misbranded or that the brand was false or fraudulent. The answer then proceeds to allege that before putting the waters upon sale he had the same thoroughly tested and was advised by reputable physicians that the use of said waters were beneficial in the treatment of certain kidney troubles mentioned in the libel; that the water was sold under a guaranty that those not satisfied with the result of the use of the water might have their money back; that said label had been submitted to the proper board in Washington and it expressed itself as having no objection to same; that the labeling was in good faith and not in any attempt to perpetrate a fraud upon the public.

The exceptions were overruled and the cause went to trial before a jury. After the Government case was in, the claimant moved for an instructed verdict. This motion was renewed at the close of the entire evidence. Each of said motions were refused, and the jury returned a verdict in favor of the Government, upon which a judgment was entered condemning said water.

The errors assigned are as follows: (1) The court erred in failing to sustain exceptions to the libel; (2) the court erred in refusing to instruct the jury to find a verdict for claimant; (3) the court erred in refusing the charge that the label on the bottles of water did not violate the act of Congress in that the said label made no statement regarding the therapeutic or curative effect of said waters; (4) the court erred in refusing to grant a new trial.

The first and third assignments raise the same question of law. Does the label as set out in the libel bear the interpretation sought to be placed on it by the Government, i. e., that the words, "recommended in the treatment of," the diseases named, properly construed, mean that the said water had a curative or therapeutic quality? If the court could say that they did not have this meaning, then it should have sustained the exceptions and given the charge asked. If it could not, then no error was committed in overruling the exception and refusing to give the charge. The construction of the language used in the label was in the first instance for the court; the falsity or truth and the intent of the claimant were for the jury to find from the testimony before it.

It seems to us that words, "recommended in the treatment of Bright's disease," etc., "Directions, \* \* \*" could only mean that the use of the water in the treatment of the diseases named would effect a cure or alleviation of such diseases, otherwise why recommend it? Unless this means that the water did contain elements or ingredients which would alleviate or cure the diseases named, when taken according to the directions thereon contained, it was a waste of printers' ink. Would not anyone suffering from any one of the diseases

named understand it by the taking of the water his ailment would be alleviated or cured by reason of the ingredients contained in the water? It seems to us that he would. Treatment would only be taken with a view to alleviation or cure, and a water possessing elements or ingredients favorable to that end only would be recommended.

We think this label clearly susceptible of this construction, and that no error was committed either in overruling the exception or refusing the charge.

The contention is made that the water condemned in this case is not a drug within the meaning as used in the act. To confine the meaning of the word "drugs," as used in the third subdivision of section 8, to any definition of drug found in dictionaries or pharmacopœias would in our judgment be entirely too narrow. As Justice Hughes says, in *Seven Cases v. U. S.*, 239 U. S., 517, "That false and fraudulent representations may be made with respect to the curative effect of any substance is obvious," and when so made of water it seems to us it would be trifling to say that water ordinarily is not a drug in the true meaning of the word, and therefore does not fall within the condemnation of the third subdivision of section 8 of the act. If the allegations of the libel are true, the claimant has put the substance, water, in interstate commerce with the recommendation that it possesses certain elements or ingredients which are curative or at least alleviative for the diseases named in the label. He will not be heard now to say the substance recommended is water and not a drug. Such a construction would nullify the act of Congress.

After the Government had closed its case the claimant moved for an instructed verdict, which motion was denied, and this action of the court is assigned as error in the third assignment.

The evidence produced on behalf of the Government tended to show the shipment of the water in interstate commerce, the wording of the label as set out in the libel, the analysis of the water and absence therein of any medicinal ingredients possessing curative or alleviative properties in the treatment of the diseases named in the label, and the position of the claimant in respect to the article. Under that condition of the proof it seems to us clear that the trial judge would have had no right to withdraw from the jury the determination of the two main questions at issue, namely, whether the claims made in the label were true, and if not true, whether they were made knowingly and fraudulently. The judge is only justified in withdrawing a case from the jury when the testimony is such that no reasonable construction of it would justify a verdict for the plaintiff. "The case should not have been withdrawn from the jury unless the conclusion followed as matter of law, that no recovery could be had upon any view which could be properly taken of the facts the evidence tended to establish." *Texas & Pacific Railway Co. v. Cox*, 145 U. S. 606. After a full review of the testimony for the Government we can not say the testimony is of this character. The jury would have been justified in finding from this testimony, unexplained or uncontradicted, the falsity of the label and the fraudulent intent of the claimant in putting forth the claims made therein.

The motion for an instructed verdict was renewed at the close of the testimony in the entire case and denied by the court. The testimony in its then condition made an issue of fact upon conflicting testimony, which could only be decided by the jury in the case.

The last error assigned is the refusal of the court to grant the motion for a new trial. The refusal or granting of a motion for a new trial is in the sound discretion of the trial judge, and can not be reviewed upon writ of error or appeal. *Mattox v. U. S.*, 146 U. S. 140.

The case was submitted to the jury by the trial judge in a full and clear-cut charge defining the issues, and the jury found against the claimant.

We find no reversible error in the record, and therefore the judgment of the trial court is affirmed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8702. Adulteration of tomato catsup. U. S. \* \* \* v. The Frazier Packing Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9601. I. S. No. 3763-p.)**

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against the Frazier Packing Co., Elwood, Ind., charging shipment by the said

company, in violation of the Food and Drugs Act, on December 21, 1917, under the name of the Elwood State Bank, from the State of Indiana into the State of West Virginia, of a quantity of tomato catsup which was adulterated. The article was labeled in part, "Royal Red Brand Tomato Catsup Prepared by The Frazier Packing Co. Elwood, Ind. U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the catsup was made from partially decayed tomatoes.

Adulteration of the article was charged in the indictment for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On June 29, 1920, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8703. Adulteration of tomato purée. U. S. \* \* \* v. Sailors Packing Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9857. I. S. No. 9251-p.)**

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against the Sailors Packing Co., a corporation, Kokomo, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on December 6, 1917, from the State of Indiana into the State of Illinois, of a quantity of tomato purée which was adulterated. The article was labeled in part, "Stewed and Strained Tomato Puree Packed by the Sailors Packing Co. Kokomo, Ind. U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the purée to be partially decomposed.

Adulteration of the article was charged in the indictment for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

On June 29, 1920, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8704. Adulteration and misbranding of cottonseed meal or cake. U. S. \* \* \* v. Southern Cotton Oil Co., a Corporation. Plea of guilty to Counts 2, 4, 6, and 8 of the information. Trial by the court upon Counts 1, 3, 5, 7, and 9 of the information. Judgment of acquittal on Count 9. Judgment of conviction on Counts 1, 3, 5, and 7 of the information. Fine, \$140 and costs. (F. & D. No. 11137. I. S. Nos. 7006-r, 11054-r, 11058-r, 10838-r.)**

At the April, 1920, term of the District Court of the United States for the Eastern District of Arkansas, the United States attorney, within and for said district, acting upon a report by the Secretary of Agriculture, filed an information in 9 counts against the Southern Cotton Oil Co., a corporation, doing business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 16, 1918, from the State of Arkansas into the State of Missouri, of a quantity of Arkansas Brand cottonseed meal or cake, on or about November 12, and November 9, 1918, from the State of Arkansas into the State of Michigan, of quantities of Baby Brand cottonseed meal or cake, and on or about October 10, 1918, from the State of Arkansas into the State of Kansas, of a quantity of Arkansas Brand cottonseed meal or cake, each of which was adulterated and misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

Shipment of—	Protein.	Fat.	Fiber.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
December 16.....	34.0	.....	16.5
November 12.....	32.81	5.50	15.82
November 9.....	32.69	5.45	16.00
October 10.....	34.5	.....	15.9

Examination of the samples indicated the presence of a large percentage of cottonseed hulls.

Adulteration of the article in each shipment was alleged in Counts 1, 3, 5, and 7 of the information for the reason that a certain substance, to wit, cottonseed hulls, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the article in Counts 2, 4, 6, and 8 of the information was alleged for the reason that the following statements, to wit, "Cotton Seed Meal," "Protein 36% \* \* \* Crude Fibre 14.00%," or "Cotton Seed Meal," "Protein 36 to 38½ per cent, Fat 6 to 8 per cent, Crude Fibre 12 to 15 per cent," or "Cotton Seed Meal," "100 Lbs." "Protein 36.00%, Crude Fibre 14.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was cottonseed meal, that it contained not less than 36 per cent of protein and not more than 14 or 15 per cent of crude fiber, as the case might be, and in the case of two of the shipments not less than 6 per cent of fat, and in the case of one of the shipments that each of the sacks contained 100 pounds of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article was cottonseed meal, that it contained not less than 36 per cent of protein and not more than 14 or 15 per cent of crude fiber, as the case might be, and in the case of two of the shipments not less than 6 per cent of fat, and in the case of one of the shipments that each of the sacks contained 100 pounds of the article, whereas, in truth and in fact, said article was not cottonseed meal, but was a mixture of cottonseed meal and cottonseed hulls; said article contained less than 36 per cent of protein and more than 14 per cent or 15 per cent of crude fiber, as the case might be, and in two of the shipments contained less than 6 per cent of fat, and in one of the shipments each of the sacks did not contain 100 pounds of the article, but contained a less amount. Misbranding of the article in each shipment was alleged for the further reason that it was a mixture of cottonseed meal and cottonseed hulls and was offered for sale and sold under the distinctive name of another article, to wit, cottonseed meal. Misbranding of the article in one of the shipments was alleged in the Count 9 of the information for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 2, 1920, the case having come on for determination upon the information and the agreed statement of facts and certain testimony on behalf of the defendant company, said defendant having pleaded guilty to counts 2, 4, 6, and 8 of the information, and Counts 1, 3, 5, 7, and 9 of the information having been tried by the court, a trial by jury having been waived by both parties, the court thereupon found the issues upon Count 9 in favor of the defendant company and found the defendant company guilty upon Counts 1, 3, 5, and 7 of the information and assessed a penalty against said defendant company of \$140 and the costs of the prosecution.

E. D. BALL, *Acting Secretary of Agriculture.*

**8705. Misbranding of Gray's Ointment. U. S. \* \* \* v. 10 Dozen and 36 Dozen Boxes of Gray's Ointment. Product ordered released on bond. (F. & D. Nos. 11276, 11277. I. S. Nos. 8424-r, 8425-r. S. Nos. C-1476, C-1477.)**

On or about September 23, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 dozen and 36 dozen boxes of Gray's Ointment, at Little Rock, Ark., alleging that the article had been shipped on or about August 25, and August 28, 1919, by W. F. Gray & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a lead soap, linseed oil, beeswax, lead acetate, and a trace of turpentine.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements, regarding the curative and therapeutic effects thereof, to wit, "For Burns, Scalds, Rheumatism, Tic-D'oreux \* \* \* Poisonous Plants; Broken Breasts, Sore Nipples and Carbuncles \* \* \* Fistula, \* \* \* Injured Spine, Swelling of all kinds \* \* \* Sore Throat \* \* \*," (circular) "For the relief of \* \* \* Ulcers of long or short duration \* \* \* Scrofulous and other Tumors, including White Swellings \* \* \* Old or Fresh Wounds, Gunshot Wounds \* \* \* Swelling and Inflammations of all kinds; Rheumatic and other Pains \* \* \* Scald Head, Tetter on the head or any other part of the body \* \* \* carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds \* \* \* Dog, Snake, Spider, and other Poisonous Bites; Broken Breasts, Sore Nipples \* \* \* Injured Spine; Sore Eyes, Swelling of all kinds \* \* \* Sore Throat \* \* \* Pleurisy and Pneumonia \* \* \* Splint, Wind Galls, Fistula \* \* \* in early stages of Inflammatory Rheumatism and Soreness about the Breast \* \* \* this Ointment stands unrivaled \* \* \* in the course of two or three hours the system is thrown into a gentle perspiration, and all pain or soreness is rapidly removed," were false, fraudulent, and misleading inasmuch as said drug contained no ingredients or combination of ingredients capable of producing the effects claimed.

On March 29, 1920, the matter having come on for final disposition, the cases having been consolidated, it appearing to the court from a stipulation of the parties that the goods bore certain brands or printed matter in violation of law, and that the packages were unlawfully transported in interstate commerce, and it further appearing to the court that the said W. F. Gray & Co., owner of the goods, had prepared an amended circular and advertising matter to be used in lieu of the circular and advertising matter complained of in the proceeding, and it further appearing that the parties had agreed that the packages might be delivered to the said W. F. Gray & Co. for the purpose of removing from said packages and destroying the brands and advertising matter complained of, and said W. F. Gray & Co., having filed its bond in the sum of \$100, in conformity with section 10 of the act, it was ordered by the court that the product be delivered to the said W. F. Gray & Co., and that said claimant pay all the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**8706. Misbranding of Sirop D'Aniz (Sirup of Anise). U. S. \* \* \* v. 140 Bottles and 3 Dozen Bottles of Sirop D'Aniz (Sirup of Anise). Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12682, 12684. I. S. Nos. 18581-r, 18373-r. S. Nos. E-2201, E-2238.)**

On May 27, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 140 bottles and 3 dozen bottles of a product, labeled in part "Sirop D'Aniz," consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at Waterville, Me., alleging that the article had been shipped on or about October 9, 1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in the libels for the reason that the packages bore certain statements regarding the curative or therapeutic effects thereof, as follows, (wrapper) "For babies \* \* \* This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "(For babies) \* \* \* a preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. (For babies) \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 17, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8707. Adulteration of tomato purée. U. S. \* \* \* v. 24 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12866. I. S. No. 9072-r. S. No. C-1955.)**

On June 5, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the W. B. Newlon Co., Crowley, Colo., on March 19, 1920, and transported from the State of Colorado into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "O-Joy Brand Puree The Fowler Canning and Mfg. Co., Fowler, Colo. W. B. Newlon Co. Crowley, Colo."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S708. Adulteration and misbranding of concentrated sweetener. U. S. \* \* \* v. 1 Can Containing 5 Pounds of Alleged Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12977. I. S. No. 9333-r. S. No. C-2002.)

On June 29, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can containing 5 pounds, more or less, of alleged concentrated sweetener, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about June 11, 1920, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Wood's Special Concentrated Sweetener Soluble in Cold Water 5 pounds net. Not sold as a drug. W. B. Wood Mfg. Co., St. Louis."

Adulteration of the article was alleged in the libel for the reason that an imitation product had been substituted wholly or in part for food sweetener, and for the further reason that said article contained an added deleterious ingredient, saccharin, which might render it injurious to health.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that the statement on the label, to wit, "Special Concentrated Sweetener 500," was false and misleading in that it represented said article as being 500 times sweeter than sugar, when it was not.

On September 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S709. Misbranding of Stopsit. U. S. \* \* \* v. 10 Bottles of Stopsit. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13045. I. S. No. 9293-r. S. No. C-2041.)

On July 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Stopsit, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by O. K. Horner, Brazil, Ind., on or about March 26, 1920, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " \* \* \* injection for gonorrhœa or gleet \* \* \* Never known to stricture \* \* \* safe, sure and speedy. Use for prevention \* \* \* remedy for general [venereal] diseases of men and women \* \* \* swiftest, most positive \* \* \* remedy ever discovered;" (bottle) " \* \* \* injection for Gonorrhœa and Gleet \* \* \* for Leucorrhœa or Whites \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations—a dilute aqueous solution of berberine sulphate, and a powder composed of potassium permanganate and potassium sulphate.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements regarding its curative and therapeutic effects were false and fraudulent.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8710. Misbranding of Hobo Kidney and Bladder Remedy. U. S. \* \* \* v. 70 Dozen Bottles and 70 Dozen Bottles of Hobo Kidney and Bladder Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 517-C, 518-C. I. S. Nos. 429-t, 430-t.)**

On July 15, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by an official of the Department of Public Health of the State of Oklahoma, filed in the District Court of the United States for said district libels for the seizure and condemnation of 70 dozen bottles and 70 dozen bottles of Hobo Kidney and Bladder Remedy, alleging that the article had been shipped by the Hobo Medicine Co., Shreveport, La., on or about June 5, 1920, and June 10, 1920, respectively, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in substance in the libels for the reason that the cartons and labels and, in the shipment of June 5, a booklet, accompanying each bottle, bore and contained certain statements, designs, and devices, regarding the curative and therapeutic effects thereof, to wit, (carton) " \* \* \* Bright's Disease, acute and chronic cystitis, renal and vesical pus, or blood in urine, incontinence, albuminuria, and ailments caused from defective kidney and bladder elimination \* \* \* One of the greatest alteratives \* \* \* Backache, persistent headache, dizziness, forgetfulness, weakness and rheumatism when caused by disordered kidneys, the same being true of inflammation of the bladder," (bottle) " \* \* \* Kidney and Bladder Remedy. A vegetable compound for the treatment of Bright's disease, acute and chronic cystitis, renal and vesical pus, or blood in urine, incontinence and retention, albuminuria, and all ailments caused from defective kidneys and bladder elimination \* \* \*," (booklet, shipment June 5) " \* \* \* For nearly three years Mr. G. D. Horton \* \* \* was a sufferer from Bright's Disease in its most malignant form \* \* \* within three days \* \* \* Mr. Horton was greatly improved and within two months restored to health without any recurrence of the malady in the intervening years. \* \* \* it not only gave speedy relief to all the tortures which kidney and bladder affections entailed, such as incontinence of urine, gravel in the bladder, irritated glands, backache, kindred complaints, but that in many instances the cures were absolutely permanent \* \* \*," which were false and fraudulent, in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8711. Adulteration of milk. U. S. \* \* \* v. Henry Pumpmeier. Plea of nolo contendere. Fine, \$75 and costs. (F. & D. No. 10364. I. S. No. 9375-p.)**

On October 9, 1919, the Grand Jurors within and for the State of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for the said district, returned an indictment in the District Court of the United States aforesaid against Henry Pumpmeier, Aviston, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 18, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and insoluble foreign matter.

Adulteration of the article was charged, in substance, in the indictment for the reason that added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be, and for the further reason that it consisted in whole or in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8712. Adulteration of tomato pulp. U. S. \* \* \* v. 290, 1361, 1018, 1020, 1104, 785, 845, 1195, 1784, 1208, 1336, 1548, 1432, 1893, and 1131 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11835, 11836, 11837, 11838, 11839, 11840, 11841, 11842, 11843, 11844, 11845, 11846, 11847, 11848, 11854. I. S. Nos. 8158-r, 8165-r, 8167-r, 8174-r, 8230-r, 8234-r, 8235-r, 8246-r, 11029-r, 8160-r, 8162-r, 8233-r, 8250-r, 11030-r, 8161-r. S. Nos. C-1622, C-1626, C-1627, C-1629, C-1631, C-1633, C-1634, C-1638, C-1640, C-1623, C-1625, C-1632, C-1639, C-1642, C-1624.)

On or about December 23 and 24, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of tomato pulp, contained in 5-gallon cans, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped and transported from the State of Indiana into the State of Michigan, as follows, 290 cans on or about November 12, 1918, and 1,361 cans on or about November 25, 1918, by the Rider Packing Co., Seymour, Ind., 1,018 cans on or about November 14, 1918, 1,020 cans on or about November 21, 1918, and 1,104 cans on or about December 3, 1918, by the Scottsburg Canning Co., Scottsburg, Ind., 785 cans. on or about November 5, 1918, by the Orestes Packing Co., Orestes, Ind., 845 cans and 1,195 cans on or about November 15, 1918, by the Alexandria Preserving Co., Alexandria, Ind., 1,784 cans on or about November 22, 1918, by the Arcadia Canning Co., Arcadia, Ind., 1,208 cans on or about October 26, 1918, 1,336 cans on or about October 29, 1918, and 1,548 cans on or about November 7, 1918, by the W. H. Dyer Co., Evansville, Ind., 1,432 cans on or about November 4, 1918, and 1,803 cans on or about November 17, 1918, by the English Canning Co., English, Ind., and 1,131 cans on or about October 17, 1918, by the Rider Packing Co., Crothersville, Ind., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance, namely, decomposed tomatoes and tomato pulp.

On May 13, 1920, the case having come on for final disposition, and the plaintiff, the United States, having appeared by the United States attorney, and the respondent, the Thomas Canning Co., by the Rider Packing Co., Scottsburg Canning Co., W. H. Dyer Co., Alexandria Preserving Co., Arcadia Canning Co., Orestes Packing Co., and English Canning Co., through their attorneys, and the said Thomas Canning Co. having entered no appearance in its own behalf, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the expenses of the proceedings be paid by the said Rider Packing Co., the Scottsburg Canning Co., the W. H. Dyer Co., the Alexandria Preserving Co., the Arcadia Canning Co., the Orestes Packing Co., and the English Canning Co., either jointly or severally.

E. D. BALL, *Acting Secretary of Agriculture.*

**8713. Adulteration of tomato pulp. U. S. \* \* \* v. 615 Cans \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12379. I. S. No. 6247-r. S. No. C-1907.)

On April 23, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 615 cans, each containing 5 gallons of tomato pulp, at Burlington, Iowa, alleging that the article had been shipped on or about August 8, 1919, by the Military Tract Conserve Co., Bushnell, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The cans bore no labels.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On November 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8714. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 70 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12451. I. S. No. 13070-r. S. No. E-2114.)

On May 17, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about October 29, 1919, by J. A. E. Gauvin, Lowell, Mass., and transported from the State of Massachusetts into the State of Maine, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all Affections of the Throat & Lungs;" (carton) " \* \* \* recommended for \* \* \* 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs \* \* \* La Grippe, Whooping-Cough and all Throat and Lung Diseases;" (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping Cough, Influenza and in the first stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest \* \* \* Spasmodic Coughs \* \* \* Used against all Affections of the Throat, Bronchi, and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated for treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption \* \* \* Tuberculosis and \* \* \* Epidemic Grippe \* \* \* Diseases of the Chest \* \* \* Gastric Disorders \* \* \* recommended for Pulmonary Diseases \* \* \* Affections of the Throat, Bronchial Tubes and Lungs, Hoarseness \* \* \* La Grippe, Whooping-cough."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, water, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements were false and fraudulent in that said article con-

tained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 17, 1920, no claimant having appeared for the product, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8715. Adulteration of canned tomato purée. U. S. \* \* \* v. 25 Cases of Canned Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 2452. I. S. No. 7282-r. S. No. C-1932.)**

On May 10, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases of canned tomato purée, remaining unsold in the original unbroken packages at Louisville, Ky., shipped by the Lapel Canning Co., Lapel, Ind., on or about February 26, 1920, alleging transportation from the State of Indiana into the State of Kentucky, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 1, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8716. Misbranding of De Lacy's Cin-Ko-Na and Iron. U. S. \* \* \* v. 16 Bottles of De Lacy's Cin-Ko-Na and Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12523. I. S. No. 9551-r. S. No. C-1862.)**

On March 23, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles of De Lacy's Cin-Ko-Na and Iron, remaining unsold in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped on or about September 11, 1919, by the De Lacy Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Tennessee, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Nervousness, Impure Blood, \* \* \* Malaria, Catarrh \* \* \* Indigestion \* \* \* Sleeplessness \* \* \* Blood Diseases & Rheumatism \* \* \* Pimples;" (carton) "A valuable remedy for All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases \* \* \* Builds up the entire Nervous System, Allays Kidney and Bladder Troubles, Headache, etc. \* \* \* Catarrh in all its forms \* \* \* Liver Complaints \* \* \*. Invigorates the Kidneys \* \* \* is a perfect Remedy in all Chronic Diseases peculiar to Women \* \* \* Coughs, Colds, Grip, Bronchitis and Catarrh of the Stomach \* \* \* Pimples, Ulcers, Skin Troubles, Scrofula, and All Diseases arising from Impure Blood. Nervous Troubles, Neuralgia \* \* \* Sleeplessness, Dizziness, Blues, \* \* \* Despondency \* \* \* Tobacco and Alcoholic Excess, and Nervous Prostration, Malaria, Chills and Fever \* \* \* completely kills all Malaria Germs. Indigestion, Dyspepsia \* \* \* for all Stomach and Bowel Troubles. It is of great benefit and most useful for Consumption and all Wasting Diseases, Kid-

ney and Bladder Troubles, and Brights Disease. It is an excellent remedy for correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites, and General Debility."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted of a solution containing quinine, strychnine, an iron salt, a laxative plant drug, glycerin, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the labeling regarding the curative or therapeutic effects of the said preparation were false and fraudulent and calculated to deceive the purchaser or purchasers thereof, since said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 4, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8717. Misbranding of Pendleton's Vegetable Panacea. U. S. \* \* \* v. 24 Bottles and 5 Dozen Bottles of Pendleton's Vegetable Panacea. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12575, 12576. I. S. Nos. 12231-r, 12232-r. S. Nos. E-2061, E-2062.)**

On April 6, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 bottles and 5 dozen bottles of Pendleton's Vegetable Panacea, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the G. I. Robinson Drug Co., Thomaston, Me., on or about March 10, 1920, and transported from the State of Maine into the State of Massachusetts, and alleging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and circular) "Pendleton's Vegetable Panacea or pain expeller \* \* \* it removes the pains of colic and the anguish of a cut or burn \* \* \* For canker, night-sweats, headache \* \* \* rheumatism, sprains, dysentery, pains in the side, back or breast, gives life to the circulation, and vigor to the whole system \* \* \* for diphtheria or sore throat, use freely internally and externally \* \* \* palpitation of the heart \* \* \* spasmis, cholera, dysentery, spasmodic affections and colic, take from eight to twenty drops in a little sweetened water and increase the dose to a teaspoonful, according as the symptoms require. For headache bathe freely \* \* \* For wounds, apply upon lint till the pain ceases \* \* \*." (Similar statements in French.)

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an alcoholic solution of capsicum, camphor, myrrh, and oils of spearmint, thyme, cedar, and cloves.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effects of the article were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 12, 1920, and November 23, 1920, no claimants having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S718. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 12 Packages (Single Strength) and 12 Packages (Special Strength) of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13312. Inv. No. 9010. S. No. C-2378.)**

On or about August 28, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages (single strength) and 12 packages (special strength) of Madame Dean Female Pills, at Des Moines, Iowa, alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about September 12, 1918, and transported from the State of Pennsylvania into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the single-strength pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch, and that the special pills contained quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the box label and wrapper, and in the accompanying booklet and circular, regarding the curative and therapeutic effects thereof, to wit, (box label and wrapper) "Female Pills \* \* \* Give relief in Female Disorders of the menstrual functions. \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet) " \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* A remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* acts on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation and assist in re-establishing or restoring the menstrual or monthly periods \* \* \* strengthen and build up the uterine function," (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, whereby health is improved. \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again \* \* \* Special Strength \* \* \* should relieve the most obstinate cases," were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S719. Adulteration of root beer. U. S. \* \* \* v. 103 Barrels of Root Beer. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 13818. I. S. No. 4137-t. S. No. C-2562.)**

On October 27, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district a libel for the seizure and condemnation of 103 barrels of root beer, at Chicago, Ill., alleging that the article had been shipped by the Almanaris Mineral Spring Co., Waukesha, Wis., March 27 and August 15 and 17, 1920, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, saccharin, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, for the further reason that saccharin had been mixed and packed therewith in a manner whereby damage and inferiority were concealed, and for the further reason that the article contained an added poisonous or deleterious ingredient, to wit, saccharin, which might have rendered it injurious to health.

On December 9, 1920, the Almanaris Mineral Spring Co., claimant, Waukesha, Wis., having entered an appearance and admitted all the material allegations set forth in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and it was further ordered that the containers of said article be delivered to said claimant upon payment of all costs of the proceeding.

E. D. BALL, *Acting Secretary of Agriculture.*

**8720. Alleged misbranding of Gingerole. U. S. \* \* \* v. Gingerole Co., a Corporation. Tried to the court. Finding of not guilty. (F. & D. No. 10058. I. S. No. 15258-r.)**

On July 30, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Gingerole Co., a corporation, doing business at Washington, Pa., alleging shipment by said company, on or about October 31, 1918, in violation of the Food and Drugs Act, from the State of Pennsylvania into the State of Maryland, of a quantity of an article, labeled in part "Gingerole," which was alleged to have been misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an ointment the base of which was petrolatum, which formed more than 85 per cent of the mixture. Small amounts of volatile oils were present, among them turpentine, menthol, and possibly camphor. The non-volatile portion of the mixture contained besides petrolatum small amounts of oleoresins of capsicum and ginger.

It was alleged, in substance, in the information that the article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the labels of the jars and cartons containing said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for pneumonia, rheumatism, neuralgia, pleurisy, croup, and asthma, when, in truth and in fact, it was not.

On June 10, 1920, the case having come on to be tried before the court, a jury having been waived by stipulation, the defendant company was found not guilty, as will more fully appear from the following opinion by the court (Orr, *D. J.*):

Inasmuch as the court will enter at the time of filing this opinion a general finding that the defendant is not guilty, it is proper that the court give some reason therefor lest the inference be drawn that by such finding there is an indorsement of the defendant's product. The real reason for entering such judgment is because the court has not been convinced that the defendant is guilty under the statute. This is a proceeding under the Food and Drugs Act (34 Statutes at Large, 768), as amended by act of August 23, 1912 (37 Statutes at Large, 416), which, among other things, provides a drug shall be deemed to

be misbranded "if its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained thereon which is false and fraudulent." The drug in this case is a drug called "Gingerole," which word appears therefrom to be a trade-mark. The carton contains the statement "Will not blister;" a statement also of the place of manufacture and by whom it is manufactured. It contains directions "Do not apply to open sores;" "Apply to parts affected;" "For pneumonia or cold in chest apply to chest and cover with flannel cloth;" "For rheumatism, neuralgia, sore or stiff joints, apply by rubbing ointment in well;" and it contains in addition the words "For pneumonia, cold in chest, croup, rheumatism, sore or stiff joints, neuralgia, pleurisy, asthma." The label on the jar contains directions "Apply to parts affected. When applied to children use sparingly." and also "Do not bind." From all that appears upon the carton and jar, the drug is intended for external use only, and in order to produce a secondary irritation. I am satisfied from the evidence that it is a counterirritant, notwithstanding the testimony of certain physicians who had applied some to their hands while preparing to testify in the case. It is a matter of common knowledge that the old-fashioned mustard plaster was prepared by hand and that it took considerable time before it had produced any effect upon the more tender skin of other parts of the body. I am satisfied that the drug in question would not be of any substantial value in the cure of some of the diseases above mentioned, but I am not satisfied that the officers of the defendant company do not believe that their drug would be of benefit to a patient who was suffering from any one of the diseases mentioned. The label may be false in its suggestiveness, but in the absence of a positive statement, which would never be made without some positive belief in its truth, I can not find that there is anything on the carton or the label which is fraudulent within the meaning of the act of Congress. The statement, design, or device regarding the curative therapeutic effect of the drug must be both *false and fraudulent*.

"This phrase must be taken with its accepted legal meaning, and thus it must be found that the statement contained in the package was put there to accompany the goods with actual intent to deceive—an intent which may be derived from the facts and circumstances, but which must be established." (7 Cases *v.* United States, 239 U. S. 510-517.)

I am unable to find under the evidence in this case that any such statement upon carton or jar is both false and fraudulent. It is not necessary to determine which, if any, of the various statements may be false, because that would not be sufficient to establish the guilt of the defendant.

And now, to wit, July 23, 1920, the trial judge finds the defendant not guilty, and directs judgment be entered in accordance with such finding.

E. D. BAIL, *Acting Secretary of Agriculture*.

**8721. Misbranding of Montauk Santal Compound. U. S. \* \* \* v. 5 Dozen Bottles of Montauk Santal Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10672. I. S. No. 16533-r. S. No. E-1586.)**

On or about June 25, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of a drug, labeled in part "Montauk Santal Compound \* \* \* Montauk Chemical Co., Port Richmond, N. Y.," remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped on or about February 25, 1918, by the E. J. Dunbar Co., Inc., New York, N. Y., and transported from the State of New York into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of santal oil.

It was alleged in substance in the libel that certain statements appearing on the labels of the packages containing the drug and in the circular accompany-

ing the same, regarding the curative and therapeutic effect of said drug, were false and fraudulent in that the same were applied to the drug knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchaser thereof and create in his mind the impression and belief that said drug was in whole or in part composed of and contained ingredients and medicinal agents effective as a treatment, remedy, and cure of gonorrhea, whereas, in truth and in fact, it was not.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S722. Misbranding of Owl Brand cottonseed meal. U. S. \* \* \* v. De Soto Cotton Oil Co., Ltd., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10895. I. S. No. 11067-r.)**

On October 16, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the De Soto Cotton Oil Co., Ltd., a corporation, Mansfield, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 1, 1918, from the State of Louisiana into the State of Michigan, of a quantity of an article, labeled in part "Owl Brand F. W. Brode & Co., Memphis, Tenn. Jobbers High-Grade Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of 7.10 per cent of ammonia, 36.6 per cent of protein, 5.85 per cent of nitrogen, and 15.97 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the following statements concerning the article, appearing on the tag attached to the sacks containing it, to wit, "Ammonia 8%, Nitrogen 6½%, Protein 41%, Fibre, Maximum 10%," were false and misleading in that they represented to purchasers of the article that it contained not less than 8 per cent of ammonia, 6½ per cent of nitrogen, 41 per cent of protein, and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, 6½ per cent of nitrogen, 41 per cent of protein, and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 6½ per cent of nitrogen, less than 41 per cent of protein, and more than 10 per cent of fiber.

On March 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S723. Misbranding of Vitalitas. U. S. \* \* \* v. 240 Cases of Vitalitas. Product ordered released on bond. (F. & D. No. 11236. I. S. No. 13133-r. S. No. E-1711.)**

On September 17, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 240 cases of Vitalitas, at Boston, Mass., consigned August 21, 1919, by the Vital Remedies Co., Houston, Tex., alleging that the article had been transported from the State of Texas into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution of sulphates of iron and aluminum and traces of other mineral salts in approximately 97.5 per cent of water.

It was alleged in substance in the libel of information that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing upon the bottle label, "Its functions are to enrich the blood, strengthen the tone of the system, and thus aid in the restoration of healthy functions. A Family Remedy useful in the treatment of Rheumatism, Chronic Indigestion, Impoverished Blood, Atonic Dyspepsia, Chronic Diarrhœa, Dropsy, Malarial Anæmia, General Debility following recovery from acute diseases, Leucorrhœa, and Excessive Menstruation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 15, 1920, the said Vital Remedies Co. (Inc.), claimant, having filed a satisfactory bond, in conformity with section 10 of the act, it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings, and that the libel of information be dismissed in accordance with the agreement of the parties filed March 25, 1920.

E. D. BALL, *Acting Secretary of Agriculture.*

**8724. Adulteration of salmon. U. S. \* \* \* v. 55 Cases of White Cross Brand Alaska Pink Salmon and 235 Cases of Medium Red Salmon. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 11504. I. S. Nos. 3033-r, 3036-r, 3037-r, 3038-r. S. No. W-521.)

On or about November 3, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 cases of White Cross Brand Alaska Pink Salmon and 235 cases of Medium Red Salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Copper River Packing Co., Nellie Juan, Alaska, and transported from the Territory of Alaska into the State of Washington, the shipment arriving on or about September 9, 1919, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On September 1, 1920, the said Copper River Packing Co., Nellie Juan, Alaska, claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000 in conformity with section 10 of the act, conditioned in part that the claimant separate such portion of the product as might not be adulterated from the portion which was filthy, decomposed, and putrid, and that the unadulterated portion of the product be released by the marshal to the claimant, and that the portion of said product unfit for food be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8725. Misbranding of San-Methyl. U. S. \* \* \* v. 7 Packages of San-Methyl \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11519. I. S. No. 8351-r. S. No. C-1600.)

On November 28, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 7 packages of San-Methyl, consigned on July 30, 1919, by the Grape Capsule Co., Allentown, Pa., remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, cubebs, oils of santal and cinnamon, methylene blue, and phenyl salicylate.

It was alleged in substance in the libel that the article was misbranded for the reason that the packages of the same purported to contain an excellent cure for gonorrhea, gonorrheal rheumatism, gleet, and urethral diseases generally only by reason of statements on the labels thereof, whereas, in truth and in fact, said packages [statements] were false and misleading [fraudulent] in that the product had but little or no ingredients capable of producing the curative and therapeutic effects claimed therefor.

On October 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8726. Misbranding of Bourbon Poultry Remedy and Bourbon Hog Cholera Remedy. U. S. \* \* \* v. 35 Bottles of Bourbon Poultry Remedy and 11 Bottles of Bourbon Hog Cholera Remedy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11576, 11577. I. S. Nos. 8347-r, 8348-r. S. Nos. C-1572, C-1573.)

On November 26, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 bottles of Bourbon Poultry Remedy and 11 bottles of Bourbon Hog Cholera Remedy, consigned by the Bourbon Remedy Co., Lexington, Ky., on August 30, 1919, remaining unsold in the original packages at London, Ohio, alleging that the article had been transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that both preparations consisted essentially of aqueous solutions containing aloes, free sulphuric acid, sulphates of iron, copper and magnesium, coloring, and flavoring.

It was alleged in substance in the libel that the poultry remedy was misbranded in that the packages purported to contain a product for the cure of roup, gapes, diarrhea, and certain other poultry diseases only by reason of statements on the labels thereof, whereas, in truth and in fact, said packages [statements] were false and misleading [fraudulent] in that the product had but little or no ingredients capable of producing the curative and therapeutic effects claimed therefor.

It was alleged in substance that the hog cholera remedy was misbranded for the reason that the packages purported to contain a product for the cure of cholera, scours, cough, thumps, etc., only by reason of the statements on the labels thereof, whereas, in truth and in fact, said packages [statements] were false and misleading [fraudulent] in that the product had but little or no ingredients capable of producing the curative and therapeutic effects claimed therefor.

On October 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8727. Alleged adulteration and misbranding of tomatoes. U. S. \* \* \* v. 154 Cases of Tomatoes. Motion of claimant to dismiss the libel sustained. (F. & D. No. 12217. I. S. No. 971-r. S. No. E-1999.)**

On March 3, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 154 cases of canned tomatoes, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Phillips Packing Co., Cambridge, Md., on or about December 11, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Castle Haven Brand Tomatoes Packed by Phillips Packing Co., Cambridge, Md. U. S. A."

Adulteration of the article was alleged in the libel for the reason that tomato pulp had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the labels contained the statement "Tomatoes" and a cut of a ripe tomato, which were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On March 29, 1920, the said Phillips Packing Co. filed its motion to dismiss the libel, and on July 26, 1920, the matter having come on for disposition, said motion was sustained as will more fully appear from the following opinion by the court (Orr, D. J.):

This is a proceeding instituted by the United States for the seizure and condemnation of 154 cases of canned tomatoes, upon the ground that they have been adulterated and misbranded, in violation of the Food and Drugs Act. The Phillips Packing Company, which is named in the libel as the shipper, has presented its motion to dismiss the libel for the reason that it does not set forth any facts showing a violation of the act of Congress aforesaid. The libel was signed and filed by the United States attorney. The only affidavit attached to it is by one who says that he is an "inspector of the Bureau of Chemistry, United States Department of Agriculture; that he has read the foregoing libel and the averments contained therein as to his own knowledge are true, except as to those matters and things stated to be of his information and belief, and as to those matters and things he verily believes them to be true." It is unfortunate that there is such a lack of correlation between the affidavit and the libel, that we can not tell what averments in the latter are made upon the knowledge of the affiant and what are made upon his information and belief. There is, therefore, a lack of that certainty of allegation which should always be found in a libel before the property of a citizen should be seized. Turning to the libel, we find a representation to the court that the canned tomatoes are labeled, *inter alia*, as follows: "Castle Haven Brand Tomatoes Our first quality carefully selected Packed for Fine Family Trade Contents weight 2 lbs. Packed by Phillips Packing Co., Cambridge, Md., U. S. A." We find it further represented in the libel "that said article of food as analyzed by the Bureau of Chemistry, Department of Agriculture, United States of America, is shown to be adulterated in violation of said act of Congress commonly known as the Food and Drugs Act, in that tomato pulp has been mixed and packed with and substituted wholly or in part for the article." This is not an averment that tomato pulp has been mixed and packed with and substituted for the article, but is an averment that a certain analysis shows such mixture, packing, and substitution. In other words, there is the averment that a certain analysis will show an adulteration, yet no averment of

the fact of such adulteration. Further, it is a matter of common knowledge that tomato pulp is derived from tomatoes, yet there is no averment that canned tomatoes, according to a custom of the trade, are supposed to be free from tomato pulp. It is provided by the act itself that the proceedings in cases like the present shall conform as nearly as may be to the proceedings in admiralty. We find in General Admiralty Rule No. 23 the provision that, "The libel shall also propound and articulate in distinct articles the various allegations of fact upon which the libellant relies in support of its suit, so that the defendant may be enabled to answer distinctly and separately the several matters contained in each article."

There is not the particularity required of the pleader in admiralty which is required of a pleader at law or in equity, yet where there is to be a seizure of the property of a citizen there should be distinct allegations of fact which, if proved, would justify the seizure. In *du Pont de Nemours & Company v. Vance*, 19 Howard, 162-171 and 172, we find this language in the opinion of the Supreme Court, as delivered by Mr. Justice Curtis: "The rules of pleading in the admiralty court are exceedingly simple and free from technical requirements. It is incumbent on the libellant to propound with distinctness the substantive facts on which he relies," etc. The same views, although greatly elaborated, are expressed in the earlier case of *The Hoppett and Cargo v. United States*, 7 Cranch., 389-393: "It is not controverted, that in all proceedings in courts of common law, either against the person or the thing, for penalties or forfeitures, the allegations that the act charged was committed in violation of law, or of the provisions of a particular statute will not justify condemnation, unless, independently of this allegation, a case may be stated, which shows that the law has been violated. The reference to the statute may direct the attention of the court and of the accused to the particular statute by which the prosecution is to be sustained, but forms no part of the description of the offense. The importance of this principle to a fair administration of justice, to that certainty introduced and demanded by the free genius of our institutions in all prosecutions for offenses against the laws, is too apparent to require elucidation, and the principle itself is too familiar not to suggest itself to every gentleman of the profession. Does this rule apply to informations in a court of admiralty. It is not contended that all those technical niceties which are unimportant in themselves, and standing only on precedents of which the reason can not be discerned, should be transplanted from the courts of common law into the courts of admiralty. But a rule so essential to justice and fair proceeding as that which requires a substantial statement of the offense upon which the prosecution is founded, must be the rule of every court where justice is the object, and can not be satisfied by a general reference to the provisions of a statute. It would require a series of clear and unequivocal precedents, to show that this rule is dispensed with in courts of admiralty, sitting for the trial of offenses against municipal law. It is, upon these and other reasons, the opinion of the court that the information is not made good by the allegation that the offense was committed against the provisions of certain sections of the act of Congress."

Taking up now the charge of misbranding, the representation is made "that said article of food, so designated as aforesaid and analyzed as aforesaid, is also shown to be misbranded in violation of said act of Congress in that labels contain statements 'Tomatoes,' and a cut of a ripe tomato, which are false and misleading and deceive and mislead the purchaser." This averment is insufficient to justify the seizure. There is no allegation in the libel that the contents of the cans are not derived from tomatoes, whether ripe or unripe. There is no averment in the libel that they are not tomatoes of the Castle Haven Brand, whatever that may mean, and there is no averment in the libel that the contents of the cans are not of the first quality available to the packer, and that they had not been carefully selected. The picture of a ripe tomato upon a can can not deceive people into the belief that what is in that can is what is pictured on the label. It indicates merely the source from which the contents of the can may be derived.

The court must reach the conclusion that the libel is insufficient in that it does not contain allegations of substantive facts which clearly show the right of the Government to seize and condemn these canned goods. The great value of the Food and Drugs Act, and its amendments, to the social life of the citizens of the United States must be recognized by all who have given thought to its provisions and its purposes. That value should not be diminished either

by obstacles raised to interfere with its enforcement, or by the disregard of the legal requirements which must be followed in order to reach offenders. The property rights of shippers and other citizens can not be lightly regarded, and before their property can be seized there should be a strict adherence to the provisions of the acts of Congress and to the reasonable rules and regulations to be found in admiralty proceedings.

The motion will be sustained.

E. D. BALL, *Acting Secretary of Agriculture.*

**8728. Misbranding of La Nobleza and Sin Igual. U. S. \* \* \* v. Juan Gandara. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 12474. I. S. Nos. 2256-r, 2257-r.)**

On June 22, 1920, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Juan Gandara, Albuquerque, N. Mex., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 4, 1919, from the State of New Mexico into the State of California, of quantities of articles, labeled in part "La Nobleza" and "Sin Igual," which were misbranded.

Analysis of a sample of La Nobleza by the Bureau of Chemistry of this department showed that it was a hydroalcoholic solution of sugars, emodin-bearing drug extractives and saponin-like glucosides, with faint traces of volatile oil.

It was alleged in substance in the information that this article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the label of the bottle containing it, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for scrofula, cancer, leprosy, syphilis, tuberculosis, and all impurities of the blood and as a preventive of contagious diseases, when, in truth and in fact, it was not.

Analysis of a sample of Sin Igual showed that it was an aqueous fermenting mixture of gum (althea indicated), emodin and acid resin, drug extractives, sugars, a trace of glycyrrhizin, and alcohol.

It was alleged in substance in the information that this article was misbranded for the reason that certain statements regarding the therapeutic and curative effects thereof, appearing on the label of the bottle containing it and contained in the circular accompanying it, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for gravel, suffocation of the chest, retention of urine, stone in the bladder, yellow fever, jaundice, and diseases of the kidneys, liver, bladder, chest, and womb, when, in truth and in fact, it was not.

On July 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8729. Misbranding of Dr. Cheeseman's Pills. U. S. \* \* \* v. Dr. Cheeseman's \* \* \* Pills. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13853. I. S. Nos. 7837-t, 7838-t. S. Nos. E-2862, E-2863.)**

On November 8, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 packages (double strength) and 23 packages (single strength) of Dr. Cheeseman's Female Regulating Pills, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Kells Co., Newburgh, N. Y., alleging

that the article had been shipped on or about February 21, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in the libel for the reason that the label and circular contained certain statements, designs, and devices, regarding the curative or therapeutic effects thereof and the ingredients or substances contained therein, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the following statements, designs, and devices which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof, (carton) " \* \* \* Female Regulating Pills \* \* \*," (small circular in English and German) " \* \* \* Obstruction of long standing \* \* \* in recent cases of Obstruction \* \* \* When Obstruction is apprehended \* \* \* In cases of Impotency or Barrenness, Seminal Weakness, Gleet, Whites, and all diseases arising from a relaxed state of the genital organs, whether the result of disease, injuries or consequences of youthful indiscretion, or indulgence of the passions in riper years \* \* \* all sufferings connected with the womb and its dependencies, \* \* \* a specific remedy \* \* \* the only curatives known to the world \* \* \* designed to check and do away with irregularities. From obstructions of the monthly function \* \* \* constant nausea during the severest period of the infliction, headache of a violent type, extreme and tormenting nervousness, a tendency to apoplexy, increase of bile beyond the natural volume, hysteria, racking pains, giddiness, uncertain state of the urine, corrugated skin, sallow and repulsive complexion, furred tongue and fetid breath, varicose veins, general debility, loss of hair, decay and aching of the teeth, glandular swellings, spasms, fits, etc., etc. \* \* \* designed for the obviation of the fatal consequences (either direct or remote) of the suppression, or too great activity of menstruation. \* \* \* sure guide to menstrual regularity \* \* \* whites \* \* \* often eradicated this dreadful scourge in a few days \* \* \* restore the female to complete health \* \* \* designed as a panacea \* \* \* most desperate cases of illness arising from a disorganization of the procreative organs and dependent functions in females \* \* \* irregularity \* \* \* cured \* \* \* for epilepsy \* \* \* induce with certainty periodical regularity \* \* \*."

On December 4, 1920, Eugene R. Siering, trading as Chas. Meyer, claimant, having appeared as claimant of the property, and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the goods be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**8730. Misbranding of cottonseed cake and cottonseed meal and cake.**  
U. S. \* \* \* v. **Beeville Oil Mill, a Corporation.** Plea of guilty.  
Fine, \$50. (F. & D. No. 10873. I. S. Nos. 10852-r, 10854-r, 10856-r, 10858-r, 10859-r.)

On May 7, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Beeville Oil Mill, a corporation, Beeville, Tex., alleging shipment by said com-

pany, in violation of the Food and Drugs Act, on or about October 8 and October 10, 1918, from the State of Texas into the State of Oklahoma, of quantities of cottonseed cake and cottonseed meal and cake which were misbranded. The articles were labeled variously in part, "Ordinary Cotton Seed Cake Manufactured by Russell Coleman Oil Mill, San Antonio, Texas," "Ordinary Cotton Seed Cake Manufactured by Beeville Oil Mill, Beeville, Texas," or "Texoma Brand Prime Cotton Seed Meal and Cake, Texas Cake and Linter Co., Dallas, Tex."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained less protein than the percentages stated on the label.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Protein Not Less Than 43 per cent" or "43 per cent," borne on the tags attached to the sacks containing the articles, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in truth and in fact, it contained less than 43 per cent of protein.

On May 31, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8731. Misbranding of Injection Zip. U. S. \* \* \* v. 26 Dozen Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10878. I. S. No. 13444-r. S. No. E-1623.)

On July 8, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 dozen bottles of Injection Zip, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., on or about July 21 and September 6, 1918, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of acetates and sulphates of lead and zinc, berberine, and opium, in water and alcohol.

Misbranding of the article was alleged, in substance, in the libel for the reason that the following statements appearing on the bottles and cartons containing the article and in the circulars accompanying the same, regarding the curative and therapeutic effects thereof, (bottle) "Injection Zip \* \* \* This Injection is an excellent preparation and cannot produce stricture. Relief being speedy, \* \* \*," (carton) "Injection Zip \* \* \*," (circular) "An excellent preparation for the treatment of Gonorrhœa, Gleet and Leucorrhœa \* \* \* Ladies troubled with Leucorrhœa will obtain a speedy relief \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8732. Misbranding of Benetol Suppositories. U. S. \* \* \* v. 24 Boxes of Benetol Suppositories. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11305. I. S. No. 2659-r. S. No. W-491.)**

On September 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 boxes of Benetol Suppositories, remaining in the original unbroken packages, at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., on or about June 16, and July 23, 1919, and transported from the State of Minnesota into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of alpha- and beta-naphthol, boric acid, and traces of phenol and menthol, in a base of cacao butter.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the box and in the booklet as follows, (box) "Benetol Suppositories for women \* \* \* for the treatment of the special diseases of women \* \* \* As a general disinfectant and local tonic \* \* \* for the treatment of leucorrhoea (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhoea and all diseases of the vagina and for inflammation or irritation of the cervix (mouth of the womb) \* \* \*," (booklet) "\* \* \* diseases peculiar to women \* \* \* treatment of the sexual diseases \* \* \*," which statements, regarding the curative and therapeutic effects, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the Benetol Co., Minneapolis, Minn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8733. Misbranding of Gonosan. U. S. \* \* \* v. 1½ Dozen 40-Capsule Packages and 3 Dozen 25-Capsule Packages of Gonosan. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11312. I. S. No. 17050-r. S. No. E-1708.)**

On October 9, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen 40-capsule packages and 3 dozen 25-capsule packages of Gonosan, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been offered for sale and a quantity sold in the Island of Porto Rico on July 23, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gonosan—Kava-Santal 'Riedel' \* \* \* Riedel & Co., Inc. New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted largely of santal oil. (A test for kava extractives was inconclusive.)

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative or therapeutic effect, were false and fraudulent, as the article contained no ingredient or combination

of ingredients capable of producing the effects claimed, (accompanying circular, Spanish) "Gonosan \* \* \* in gonorrheal therapeutics \* \* \* makes the acute, scalding pains, and violent erections disappear, likewise those manifestations which are accustomed to show themselves in acute gonorrhea \* \* \* Even in those cases in which inflammation of the bladder is added to them, Gonosan rapidly calms the nerves of same and makes dysuria disappear. \* \* \* stop the disease from proceeding to the posterior part of the urethra \* \* \* complications and a long duration of the disease are avoided."

On August 20, 1920, Riedel & Co., Inc., New York, claimant, having consented to a decree without denying the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8734. Misbranding of Santaloids. U. S. \* \* \* v. 100 Bottles of Santaloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11313. I. S. No. 17035-r. S. No. E-1740.)**

On October 17, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 bottles of Santaloids, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been offered for sale and a quantity sold in the Island of Porto Rico, August 28, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santaloids \* \* \* Guaranteed by Frederick Stearns & Co. \* \* \* Detroit, Mich., U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative or therapeutic effect thereof, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed, (circular, Spanish) " \* \* \* exercises an astringent influence on the mucous membranes \* \* \* is much used by specialists in venereal diseases in the treatment of chronic gonorrhea and military gout, to stimulate the debilitated membranes \* \* \* for treatment of subacute gonorrhea \* \* \* in chronic inflammation of the bladder \* \* \* as well as in incipient or acute bronchitis \* \* \* incipient gonorrhea \* \* \* possesses the property of holding down the production of bacilli \* \* \*."

On September 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8735. Misbranding of Leonard Ear Oil. U. S. \* \* \* v. 60 Bottles of Leonard Ear Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11317. I. S. No. 2663-r. S. No. W-501.)**

On September 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 bottles of Leonard Ear Oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been

shipped by A. O. Leonard, New York, N. Y., September 2, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a solution of camphor, oil of eucalyptus, and traces of alkaloids in mineral oil.

It was alleged in substance in the libel that the article was misbranded in violation of section 8, paragraph 3, under drugs, of the Food and Drugs Act, in that the article was labeled in part as follows, (carton) "\* \* \* for relief of Deafness, Head Noises, Discharging, Itching, Scaly-Ears \* \* \* Ear Ache \* \* \* Ear Troubles," (label) "\* \* \* Dry, Itching, Aching and Discharging Ears," (circular) "\* \* \* for relief of Catarrhal Deafness \* \* \* to soften and loosen the mucus \* \* \*," whereas it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On March 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8736. Misbranding of cottonseed feed. U. S. \* \* \* v. Atlanta Cotton Oil Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 12349. I. S. No. 10904-r.)**

On July 21, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlanta Cotton Oil Co., a corporation, Atlanta, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 21, 1918, from the State of Georgia into the State of Kentucky, of a quantity of cottonseed feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 32.8 per cent of protein and 16.12 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis, Protein 36.00 Per Cent., Fiber 14.00 Per Cent.," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented to the purchasers thereof that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas, in truth and in fact, it contained less protein and more fiber, to wit, 32.8 per cent of protein and 16.12 per cent of fiber.

On October 6, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8737. Misbranding of cottonseed cake. U. S. \* \* \* v. Belleville Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12353. I. S. No. 5928-r.)**

On August 31, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the

Belleville Cotton Oil Co., a corporation, Belleville, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 12, 1918, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed the average gross weight of 100 sacks to be 95.33 pounds.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 27, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8738. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. William P. Andrews (Andrews Packing Co.). Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 12357. I. S. No. 15941-r.)**

On October 7, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Andrews, trading as the Andrews Packing Co., Salem, Md., alleging shipment from Linkwood, Md., by said defendant, in violation of the Food and Drugs Act, on or about October 7, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of tomatoes which were adulterated and misbranded. The article was labeled in part, "Asquith Brand Tomatoes \* \* \* Packed by Andrews Packing Co., Salem, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Tomatoes," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of tomatoes, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of tomatoes, whereas, in truth and in fact, it consisted in part of added water.

On October 7, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8739. Misbranding of olive oil. U. S. \* \* \* v. Louis Puccinelli. Plea of guilty. Fine, \$100. (F. & D. No. 12362. I. S. No. 2947-r.)**

On August 25, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Louis Puccinelli, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of California, on September 12, 1919, of a quantity of olive oil which was misbranded. The article was labeled in part, "Net One Gallon" (or "Net Half Gallon") "Pure Olive Oil L. Puccinelli \* \* \*."

Examination of samples of the article by the Bureau of Chemistry of this department showed in both the gallon and half-gallon cans an average shortage of 4.8 per cent.

Misbranding of the article was alleged in the information for the reason that the statements "Net One Gallon" and "Net Half Gallon," borne on the cans containing the article, regarding the article, were false and misleading in that they represented that each of the cans contained 1 gallon or  $\frac{1}{2}$  gallon net of the article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained 1 gallon or  $\frac{1}{2}$  gallon net of the article, whereas, in truth and in fact, each of said cans contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 25, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8740. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 559**  
**Cases of Alleged Italian Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10909.**  
 I. S. No. 2979-r. S. No. W-456.)

On August 5, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 559 cases of alleged Italian olive oil, composed of 25 cases each containing 2 5-gallon cans, 40 cases each containing 12 1-gallon cans, 10 cases each containing 24  $\frac{1}{2}$ -gallon cans, 20 cases each containing 48  $\frac{1}{4}$ -gallon cans, 125 cases each containing 96  $\frac{1}{8}$ -gallon cans, 40 cases each containing 24 8-ounce bottles, 80 cases each containing 24 4-ounce bottles, and 219 cases each containing 36 2-ounce bottles, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by Strohmeyer & Arpe Co., New York, N. Y., on or about July 9, 1919, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: (Cans) "Olio D'Oliiva Purissimo Garantito Marca Re Umberto 1. Choicest Pure Olive Oil Pure Olive Oil. Registered U. S. Patent Office S. M. Umberto 1 Re D'Italia Re Umberto Brand Pure Olive Oil Net Contents 5-gallon," or "1-gallon," " $\frac{1}{2}$ -gallon," " $\frac{1}{4}$ -gallon," " $\frac{1}{8}$ -gallon," as the case might be, with a design of the head of the King of Italy and a design of medallions and flag of Italy; (bottles) "R. U. Re Umberto Brand Pure Olive Oil For table and medicinal purposes, Net Weight 8 ounces," or "4 ounces," or "2 ounces," as the case might be, "Strohmeyer & Arpe Co., New York," with a design of the face of the King of Italy and "S. M. Umberto Re D'Italia."

Adulteration of the article was alleged in the libel for the reason that Spanish olive oil had been substituted wholly or in part for Italian olive oil, which the article purported to be. Misbranding was alleged for the reason that the cans and bottles were labeled with the statements, designs, and devices as aforesaid, which were false and misleading, and deceived and misled the respective purchasers thereof into the belief that the product was olive oil of Italian origin, whereas it was a Spanish olive oil.

On September 16, 1919, the Strohmeyer & Arpe Co., New York, N. Y., having entered an appearance as claimant of the property and confessed judgment, a

decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be relabeled as prescribed and directed by this department, and that said claimant pay all costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**8741. Misbranding of Lallemand's Rheumatism, Gout, and Neuralgia Treatment. U. S. \* \* \* v. Meyer Bros. Drug Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 11625, I. S. No. 7824-r.)**

On April 21, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Meyer Bros. Drug Co., St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 6, 1919, from the State of Missouri into the State of Arkansas, of a quantity of an article of drugs, labeled in part "Lallemand's Rheumatism, Gout & Neuralgia Treatment \* \* \* Prickly Ash Bitters Co., Sole Proprietors \* \* \* Formerly called Lallemand's Specific \* \* \*," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydroalcoholic solution containing potassium iodid, potassium acetate, and extractives from colchicum.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, designs, and devices, appearing on the labels of the bottles and wrappers and in the circular accompanying it, falsely and fraudulently represented it to be effective as a preventive, treatment, remedy, and cure for acute and chronic rheumatism, neuralgia, sciatic, muscular, and capsular rheumatism, and locomotor ataxia, when, in truth and in fact, it was not.

On November 10, 1920, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8742. Adulteration and misbranding of Queen's Taste Brand egg noodles. U. S. \* \* \* v. Western Macaroni Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11949. I. S. No. 5128-r.)**

On July 10, 1920, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Western Macaroni Mfg. Co., a corporation, Salt Lake City, Utah, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 25, 1918, from the State of Utah into the State of Montana, of a quantity of egg noodles which were adulterated and misbranded. The article was labeled in part, "'Queen's Taste' Brand Egg Noodles \* \* \* Manufactured by the Western Macaroni Mfg. Co. Inc. Salt Lake City, Utah \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be plain noodles, artificially colored, and containing not over 0.57 per cent of egg solids. The package was also short weight.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a mixture deficient in egg solids, had been substituted for egg noodles, which the article purported to be, and for the further reason that it was an article inferior to egg noodles, to wit, a mixture deficient in egg solids

prepared in imitation of egg noodles, and was colored with a coal-tar dye, to wit, naphthol yellow S, to simulate the appearance of egg noodles and in a manner whereby the inferiority to egg noodles was concealed.

Misbranding was alleged for the reason that the statements, to wit, "Egg Noodles" and "Net Weight 6 ozs," borne on the packages containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was egg noodles, and that each of the packages contained 6 ounces net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was egg noodles, and that each of the packages contained 6 ounces net of the article, whereas, in truth and in fact, it was not egg noodles, but was a mixture deficient in egg solids, and each of the packages did not contain 6 ounces net thereof, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 26, 1920, a plea of not guilty to the information theretofore entered on behalf of the defendant company having been withdrawn, a plea of guilty was entered, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8743. Adulteration and misbranding of Sav-On Compound dehydrated egg. U. S. \* \* \* v. Columbia Products Corp., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 11997. I. S. No. 15583-r.)**

On July 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Columbia Products Corp., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 18, 1919, from the State of New York into the State of Maryland, of a quantity of Sav-On Compound dehydrated egg, which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of dried egg yolk, skim milk powder, and cornstarch. Baking tests showed that the product does not take the place of eggs in cake making, that cakes made with Sav-On were no better than cakes made with water, slightly greater in volume than cakes made with skim milk, and in no way comparable in either volume or quality with cakes made with eggs.

Adulteration of the article was alleged in the information for the reason that it was inferior to a product composed of egg, to wit, a product composed in part of starch and milk protein, prepared in imitation of a product composed of egg, and was mixed in a manner whereby its inferiority to a product composed of egg was concealed.

Misbranding was alleged for the reason that the statement, in large type, to wit, "Egg," not corrected by the statement in inconspicuous type, "Starch & Proteids," borne on the package containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was a product composed wholly of egg, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a product composed wholly of egg, whereas, in truth and in fact, it was not, but was a product composed in

part of starch and milk protein. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 21, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8744. Adulteration of evaporated apples. U. S. \* \* \* v. 10 Boxes, More or Less, of Evaporated Apples. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 12092. I. S. No. 7385-r. S. No. C-1747.)**

On February 17, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes, more or less, of evaporated apples, consigned January 12, 1920, remaining in the original unbroken packages at Richmond, Ind., alleging that the article had been shipped by J. W. Teasdale & Co., St. Louis, Mo., and transported from the State of Missouri into the State of Indiana, arriving on or about February 14, 1920, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, (box) "Fifty pounds net Banner Brand Product of Evaporated Apples Prepared with Salt and Sulphur Fumes. Are much cheaper and far superior to gallon canned apples. Guaranteed under the Pure Food and Drugs Act of June 30, 1906."

Adulteration of the apples was alleged in substance in the libel for the reason that water had been mixed and packed with them so as to reduce, lower, and injuriously affect their quality and had been substituted wholly and in part for said apples.

On June 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal after the obliteration of all labeling thereon and the rebranding of the same by placing thereon "Evaporated Apples containing 29% moisture."

E. D. BALL, *Acting Secretary of Agriculture.*

**8745. Adulteration of canned salmon. U. S. \* \* \* v. 132 Cases of Canned Salmon. Consent decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12186, 12187, 12188, 12189. I. S. No. 547-r. S. No. E-1970.)**

On February 20, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 132 cases of canned salmon, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 16, 1919, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Retail package) "Hall's Sealect Brand Pink Salmon 1 Lb. Net Weight \* \* \* G. Batcheller Hall Co., Distributors, Seattle, Wash.;" (shipping package) "4 Doz. 1 Lb. Hall's Pink Salmon Packed by Clark Graham Co., Cordova, Alaska, Distributed by G. Batcheller Hall Co., Seattle, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On October 26, 1920, the G. Batcheller Hall Co., Seattle, Wash., claimant, having withdrawn its answer theretofore filed and having consented to a decree,

judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and it was further ordered that the costs of the proceedings be recovered from said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

**8746. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12190. I. S. No. 9242-r. S. No. C-1766.)**

On February 20, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of cottonseed meal, consigned by United Oil Mills, from Arkadelphia, Ark., remaining unsold in the original unbroken packages at East St. Louis, Ill., alleging that the article had been shipped on or about January 21, 1920, and transported from the State of Arkansas into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Nutrine Brand Cotton Seed Meal \* \* \* Guaranteed Analysis, Protein, 41%, Fat, 6%, Crude Fibre (Maximum), 10% \* \* \* Manufactured for Hayes Grain & Commission Co., Little Rock, Arkansas."

Adulteration of the article was alleged in the libel for the reason that a substance had been mixed and packed with said article so as to reduce and lower its quality and strength.

Misbranding was alleged in substance for the reason that the statements on the label, "Protein 41%," "Crude Fibre (Maximum) 10%," and "99 lbs. net," were false and misleading and deceived and misled the purchaser, since the article contained only 37.81 per cent of protein and 14.9 per cent of crude fiber and the sacks contained only 98 pounds net. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside thereof in terms of weight or measure.

On March 22, 1920, the United Oil Mills Co., Hope, Ark., having entered an appearance as claimant and having agreed that the product should not be sold or offered for sale contrary to the provisions of State or Federal law, and the case having come on for final disposition, it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the brands and advertising matter be removed from the sacks and destroyed and that such brands or advertising matter as would meet the requirements of this department be placed thereon.

E. D. BALL, *Acting Secretary of Agriculture.*

**8747. Misbranding of olive oil and cottonseed salad oil. U. S. \* \* \* v. Morris Heller. Plea of guilty. Fine, \$100. (F. & D. No. 12326. I. S. Nos. 15006-r, 15097-r, 15098-r.)**

On September 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morris Heller, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, on or about April 22 and June 19, 1919, of quantities

of olive oil, and on or about June 25, 1919, of a quantity of cottonseed salad oil, which were misbranded. The articles were labeled in part: "Olio D'Oliva Purissimo Reginella Brand Pure Virgin Oil One Quart \* \* \* Packed by Venice Importing Co., New York;" and "One Quart Packed by Venice Importing Co., N. Y., San Michele Brand Winter Pressed Cottonseed Salad Oil \* \* \*."

Examination of samples of the olive oil by the Bureau of Chemistry of this department showed an average shortage in weight of 5.41 per cent and 2.64 per cent, respectively. Examination of a sample of the cottonseed salad oil by said bureau showed an average shortage in weight of 5 per cent.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "One Quart," borne on the cans containing the articles, regarding the articles, was false and misleading in that it represented that each of the cans contained 1 quart thereof, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each can contained 1 quart thereof, whereas, in truth and in fact, each of said cans did not contain 1 quart thereof, but contained a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On September 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**5748. Misbranding of rice. U. S. \* \* \* v. Warfield-Pratt-Howell Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12335. I. S. No. 11554-r.)**

On August 16, 1920, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warfield-Pratt-Howell Co., a corporation, Sioux City, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 6, 1919, from the State of Iowa into the State of South Dakota, of a quantity of rice which was misbranded. The article was labeled, (sack) "3 Lbs. Net Wooden Shoe Blue Rose Rice Warfield-Pratt-Howell Co., Des Moines, Sioux City, Cedar Rapids."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage in weight of 6.1 per cent in 3 sacks.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "3 Lbs. Net," borne on the sacks containing the article, regarding the article, was false and misleading in that it represented that the sacks contained 3 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the sacks contained 3 pounds net of the article, whereas, in truth and in fact, each of the sacks contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 19, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8749. Misbranding of Haarlem Oil Capsules.** U. S. \* \* \* v. Frank H. Evans, Alva W. Morrison, and Edward W. Harrington (Evans Drug Mfg. Co. and Evans Capsule Co.). Pleas of guilty. Fine, \$750 and costs. (F. & D. No. 12341. I. S. Nos. 7951-r, 7952-r, 7953-r, 15855-r, 15860-r.)

On June 24, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank H. Evans, Alva W. Morrison, and Edward W. Harrington, trading as the Evans Drug Mfg. Co., and the Evans Capsule Co., Greensburg, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 2, and February 1, 1919, from the State of Pennsylvania into the State of Ohio, on or about May 3, 1919, from the State of Pennsylvania into the State of West Virginia, and on or about April 1, 1919, from the State of Pennsylvania into the State of Virginia, of quantities of an article of drugs, labeled in part "Haarlem Oil Capsules," which were misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it consisted essentially of turpentine, linseed oil, and sulphur, commonly known as Haarlem oil.

Misbranding of the article was alleged in substance in the information for the reason that the statements regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes and contained in the leaflet accompanying the article, falsely and fraudulently represented it to be effective as a preventive, treatment, remedy, and cure for (all shipments) kidney, liver, bladder and uric acid troubles, rheumatism, calculi, stone in bladder, impure blood, gravel, backache, catarrh of bladder, ulceration of bladder, (one shipment of February 1) colic, liver and stomach complaints, fever, ague and blood disorders, (remaining shipments) weak kidneys, chronic disease of the kidneys, aches and pains, Bright's disease, appendicitis, chronic headache, stomach trouble, sleeplessness, nervousness, despondency, gallstones, difficulty in urinating, cloudy and bloody urine, sciatica, and lumbago, (second shipment February 1, also) gravel or renal calculi (stone in bladder) weak stomach, dyspepsia, bilious complaints, nausea, vomiting, gallstones and female disorders, when, in truth and in fact, it was not.

On October 18, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$750.

E. D. BALL, *Acting Secretary of Agriculture.*

**8750. Adulteration and misbranding of Big G.** U. S. \* \* \* v. 2½ Dozen Bottles and 5½ Dozen Bottles of Big G. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10811, 10812. I. S. Nos. 13304-r, 13443-r. S. Nos. E-1601, E-1604.)

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2½ dozen bottles and 5½ dozen bottles of Big G, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, on or about November 18, 1918, and August 29, 1918, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that it was labeled on the carton containing it, "A compound of Borated Goldenseal," whereas it contained no borated goldenseal, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding was alleged for the reason that the statement aforesaid was false and misleading since the product contained no goldenseal. Misbranding was alleged in substance for the further reason that certain statements appearing on the cartons and labels of the bottles containing the article and in the booklets accompanying the same, regarding the curative and therapeutic effects, to wit, (carton) "Big G \* \* \* A remedy for Catarrh, Hay Fever and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (bottle) "\* \* \* A Non-poisonous Tonic \* \* \* A Treatment for Unnatural Discharges of the urinary organs, \* \* \* Inflamed Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh \* \* \* Chronic, of the Head \* \* \* Inflammation of the Eye \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach \* \* \* Haemorrhoids—Piles \* \* \* Throat Troubles \* \* \* Gonorrhœa \* \* \* Gleet, Chronic Gonorrhœa, Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis \* \* \* Spermatorrhœa \* \* \* Bubo \* \* \* Gonorrhœal Cystitis \* \* \* As a preventive \* \* \* Balanitis \* \* \* Leucorrhœa \* \* \* Whites \* \* \* Catarrh of the Vagina \* \* \* Gonorrhœa in Women," and other venereal diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

# INDEX TO NOTICES OF JUDGMENT 8701 TO 8750.

*\* Cases containing decisions of the courts or instructions to juries.*

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Apples, evaporated:		De Soto Cotton Oil Co-----	8722
Teasdale, J. W., & Co-----	8744	Southern Cotton Oil Co-----	8704
Beer, root:		United Oil Mills-----	8746
Almanaris Mineral Spring		Female pills, Madame Dean:	
Co-----	8719	Rudy, Martin-----	8718
Benetol suppositories:		Fish, salmon:	
Benetol Co-----	8732	Clark Graham Co-----	8745
Big G:		Copper River Packing Co--	8724
Evans Chemical Co-----	8750	Hall, G. Batcheller, Co-----	8745
Bladder remedy:		Gauvin's cough sirup:	
Hobo Medicine Co-----	8710	Gauvin, J. A. E-----	8714
Borated goldenseal. <i>See</i> Big G.		Gingerole:	
Bourbon hog cholera remedy:		Gingerole Co-----	*8720
Bourbon Remedy Co-----	8726	Goldenseal, borated. <i>See</i> Big G.	
poultry remedy:		Gonosan:	
Bourbon Remedy Co-----	8726	Riedel & Co-----	8733
Capsules, Haarlem oil:		Gray's ointment:	
Evans Capsule Co-----	8749	Gray, W. F., & Co-----	8705
Evans Drug Mfg. Co-----	8749	Haarlem oil capsules:	
Catsup. <i>See</i> Tomato catsup.		Evans Capsule Co-----	8749
Cheeseman's, Dr., pills:		Evans Drug Mfg. Co-----	8749
Kells Co-----	8729	Hobo kidney and bladder remedy:	
Cholera, hog, remedy:		Hobo Medicine Co-----	8710
Bourbon Remedy Co-----	8726	Hog cholera remedy:	
Cin-Ko-Na and Iron:		Bourbon Remedy Co-----	8726
De Lacy Chemical Co-----	8716	Equal, Sin:	
Concentrated sweetener:		Gandara, Juan-----	8728
Wood, W. B., Mfg. Co-----	8708	Injection Zip:	
Cottonseed cake. <i>See</i> Feed.		Baker-Levy Chemical Co--	8731
feed. <i>See</i> Feed.		Kidney remedy:	
meal. <i>See</i> Feed.		Hobo Medicine Co-----	8710
oil. <i>See</i> Oil.		Lallemand's treatment:	
Cough sirup:		Meyer Bros. Drug Co-----	8741
Gauvin, J. A. E-----	8714	La Nobleza:	
Dean, Madame, female pills:		Gandara, Juan-----	8728
Rudy, Martin-----	8718	Leonard ear oil:	
Dehydrated egg. <i>See</i> Egg.		Leonard, A. O-----	8735
De Lacy's Cin-Ko-Na and Iron:		Meal. <i>See</i> Feed.	
De Lacy Chemical Co-----	8716	Milk:	
Ear oil:		Pumpmeier, Henry-----	8711
Leonard, A. O-----	8735	Mineral water. <i>See</i> Water.	
Egg, dehydrated:		Montauk Santal Compound:	
Columbia Products Corp--	8743	Montauk Chemical Co-----	8721
Egg noodles. <i>See</i> Noodles.		Nobleza, La.:	
Evaporated apples. <i>See</i> Apples.		Gandara, Juan-----	8728
Feed, cottonseed:		Noodles, egg:	
Atlanta Cotton Oil Co-----	8736	Western Macaroni Mfg. Co--	8742
cottonseed cake:		Oil, cottonseed:	
Beeville Oil Mill-----	8730	Heller, Morris-----	8747
Belleville Cotton Oil Co--	8737		
Southern Cotton Oil Co--	8704		

Oil, Haarlem capsules:		N. J. No.	Sirop d'aniz:		N. J. No.
Evans Capsule Co-----		8749	Gauvin, J. A. E-----		8706
Evans Drug Mfg. Co-----		8749	Sirup. anise:		
olive:			Gauvin, J. A. E-----		8706
Heller, Morris-----		8747	Stepsit:		
Puccinelli, Louis-----		8739	Horner, O. K-----		8709
Strohmeyer & Arpe Co-----		8740	Suppositories, Benetol:		
Ointment, Gray's:			Benetol Co-----		8732
Gray, W. F., & Co-----		8705	Sweetener, concentrated:		
Olive oil. See Oil.			Wood, W. B., Mfg. Co-----		8708
Panacea, Pendleton's vegetable:			Tomato catsup:		
Robinson, G. I., Drug Co--		8717	Frazier Packing Co-----		8702
Pendleton's vegetable panacea:			pulp:		
Robinson, G. I., Drug Co--		8717	Alexandria Preserving Co--		8712
Pills, Dr. Cheeseman's:			Arcadia Canning Co-----		8712
Kells Co-----		8729	Dyer, W. H., Co-----		8712
Madame Dean female:			English Canning Co-----		8712
Rudy, Martin-----		8718	Military Tract Conserve		
Poultry remedy:			Co-----		8713
Bourbon Remedy Co-----		8726	Orestes Packing Co-----		8712
Pulp, tomato. See Tomato pulp.			Rider Packing Co-----		8712
Purée. See Tomato purée.			Scottsburg Canning Co-----		8712
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Warfield-Pratt-Howell Co--		8748	purée:		
Root beer:			Lapel Canning Co-----		8715
Almanaris Mineral Spring			Newlon, W. B., Co-----		8707
Co-----		8719	Sailors Packing Co-----		8703
Salmon. See Fish.			Tomatoes, canned:		
San-Methyl:			Andrews Packing Co-----		8738
Grape Capsule Co-----		8725	Phillips Packing Co-----		*8727
Santal compound:			Vegetable panacea, Pendleton's:		
Montauk Chemical Co-----		8721	Robinson, G. I., Drug Co--		8717
Santaloids:			Vitalitas:		
Stearns, Frederick, & Co---		8734	Vital Remedies Co-----		8723
Sav-On compound:			Water, mineral:		
Columbia Products Corp---		8743	Bradley, C. L-----		*8701
Sin Igual:			Zip Injection:		
Gandara, Juan-----		8728	Baker-Levy Chemical Co---		8731

# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. Alsberg, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 8751-8800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 30, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8751. Misbranding of Malydor Injection. U. S. \* \* \* v. 5 $\frac{1}{2}$  Dozen Bottles of Malydor Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10813. I. S. No. 13305-r. S. No. E-1602.)**

On July 3, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 $\frac{1}{2}$  dozen bottles of Malydor Injection, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Malydor Mfg. Co., Lancaster, Ohio, on or about May 7, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a zinc salt, phenol, boric acid, acetanilid, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing the article and in the accompanying circulars, regarding the curative and therapeutic effects, to wit, (carton) "Injection Malydor the Hygienic Lotion for male & female \* \* \* remedy for Diseases of the Orificial Passages as Gonorrhœa, Gleet, Leucorrhœa," (circular) "Malydor Injection. The Perfect Private Physician for male and female \* \* \* Remedy for \* \* \* Piles \* \* \* in Treating Gonorrhœa, Gleet, etc. \* \* \* Syphilis Treatment—Locally—Use Injection Malydor \* \* \* Chancroids, Soft Chancres \* \* \* Gonorrhœa and Nasal Catarrh prevailing at the same time indicate a constitutional catarrhal condition needing \* \* \* Treatment—Locally—Use \* \* \* Injection Malydor \* \* \*," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8752. Misbranding of Santal Bowne. U. S. \* \* \* v. 12 Dozen Boxes of Santal Bowne. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10838. I. S. No. 13965-r. S. No. E-1641.)

On July 11, 1919, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen boxes of Santal Bowne, at Paterson, N. J., alleging that the article had been shipped by the General Drug Co., New York, N. Y., on or about November 4, 1916, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrappers on boxes) "A compound made from Pure Santal Oil. \* \* \* Imported for Fred'k T. W. Bowne \* \* \* Cor. Market and Straight Streets \* \* \* Paterson, N. J.;" (circular) "As soon as the symptoms of Gonorrhoea declare themselves and without waiting for the inflammation to subside, from ten to twelve of the Pearls should be taken the first day \* \* \* when the discharge has become watery in appearance \* \* \* the dose is to be gradually lessened."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of oils of santal and cassia.

Misbranding of the article was alleged in substance in the libel for the reason that the statements aforesaid, borne on the wrappers and in the circulars accompanying said boxes containing the article, were false and fraudulent in that they misled the purchaser into the belief that the article could be successfully used in the treatment and cure of gonorrhoea, whereas, in truth and in fact, said article did not and would not produce the curative and therapeutic effects claimed. Misbranding was alleged in substance for the further reason that the statements borne on the wrappers and in the circulars accompanying the article misled and deceived the purchaser into the belief that the product was manufactured and packed in a foreign country, whereas, in truth and in fact, the article was manufactured and packed in the United States.

On December 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8753. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25.** (F. & D. No. 11987. I. S. No. 16196-r.)

On November 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and N. S. Monahos, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 9, 1919, from the State of New York into the State of Florida, of a quantity of olive oil which was misbranded. The article was labeled in part, "Extra Fine Olive Oil. Lucca, Lemnos Brand. N. S. Monahos, New York."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage in 13 cans of 5.10 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents  $\frac{1}{4}$  Gallon," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of said cans contained  $\frac{1}{4}$  gallon net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained  $\frac{1}{4}$  gallon net thereof, whereas, in truth and in fact, each of said cans did not contain  $\frac{1}{4}$  gallon net of the article, but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 17, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8754. Misbranding of olive oil. U. S. \* \* \* v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Pleas of guilty. Fine, \$25.** (F. & D. No. 11988. I. S. No. 16197-r.)

On November 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, copartners, trading as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about April 9, 1919, from the State of New York into the State of Florida, of a quantity of oil which was misbranded. The article was labeled in part, "Monaho's Olio di Oliva Termini Imerese."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage on 14 cans of  $\frac{1}{4}$  per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Quart," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the cans contained 1 quart net thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained 1 quart net thereof, whereas, in truth and in fact, each of the cans did not contain 1 quart net of the article, but contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 17, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8755. Misbranding of dried brewers' grains. U. S. \* \* \* v. K. & E. Neumond, a Corporation. Plea of nolo contendere. Fine, \$25 and costs.** (F. & D. No. 11930. I. S. No. 16687-r.)

On April 21, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against K. & E. Neumond, a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 2, 1918, from the State of Missouri into the State of Indiana, of a quantity of dried brewers'

grains which was misbranded. The article was labeled in part, "'Goldnes Kalb' Dried Brewers' Grains \* \* \* K. & E. Neumond, Inc."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.85 per cent of fat, 21.2 per cent of protein, and 16.6 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guarantee" \* \* \* not less than 6.0 per cent of crude fat, 24.0 per cent of crude protein, not more than 13.0 per cent of crude fiber," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 6 per cent of crude fat, not less than 24 per cent of crude protein, and not more than 13 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 6 per cent of crude fat, not less than 24 per cent of crude protein, and not more than 13 per cent of crude fiber, whereas, in truth and in fact, it contained less crude fat and crude protein and more crude fiber, to wit, approximately 5.85 per cent of crude fat, 21.2 per cent of crude protein, and 16.6 per cent of crude fiber.

On November 10, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BAEI, *Acting Secretary of Agriculture.*

**8756. Misbranding of The Texas Wonder. U. S. \* \* \* v. 3 Dozen Packages of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (P. & D. No. 12125. U. S. No. 632-r. S. No. E-1945.)

On January 30, 1920, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of The Texas Wonder, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by E. Strocker, St. Louis, Mo., on or about January 19, 1920, and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Package) "Texas Wonder \* \* \* E. W. Hall, Sole Manufacturer St. Louis, Mo.;" (carton) "The Texas Wonder, Hall's great discovery for kidney and bladder trouble, diabetes, weak and lame backs, rheumatism \* \* \* Gravel regulates bladder trouble in children;" (circular, testimonial of Louis A. Portner, St. Louis, Missouri) "\* \* \* Began using The Texas Wonder for stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys \* \* \* Urine contained 40 per cent pus. \* \* \* Still using the medicine with wonderful results and his weight had increased \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was composed essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the carton and label and in the circular were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On December 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8757. Adulteration of eggs. U. S. \* \* \* v. Anna Finneseth, Ida B. Finneseth, J. Lawrence Finneseth (A. Finneseth Co.). Pleas of guilty. Fine, \$250.** (F. & D. No. 12361. I. S. No. 8487-r.)

On July 20, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anna Finneseth, Ida B. Finneseth, and J. Lawrence Finneseth, trading as the A. Finneseth Co., Park River, N. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 19, 1919, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed, in 2 half cases, the presence of 8.33 per cent of inedible eggs consisting of black rots, mixed or white rots, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On November 18, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$250.

E. D. BALL, *Acting Secretary of Agriculture.*

**8758. Adulteration and misbranding of hominy feed. U. S. \* \* \* v. Chapman-Doake Co., a Corporation. Plea of *nolo contendere*. Fine, \$50 and costs.** (F. & D. No. 12363. I. S. No. 10678-r.)

On August 20, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Chapman-Doake Co., a corporation, Decatur, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 16, 1918, from the State of Illinois into the State of Indiana, of a quantity of hominy feed which was adulterated and misbranded. The article was labeled in part, "The Chapman-Doake Company \* \* \* Hominy Feed \* \* \* Corn Product."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 4.61 per cent of crude fat as ether extract. Examination of a sample of the article showed that it contained oat hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, oat hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for hominy feed, which the article purported to be.

Misbranding was alleged for the reason that the statements, "The Chapman-Doake Company of Decatur, Ill., Guarantee this Hominy Feed to contain not less than 7.0 per cent of crude fat," and "Compounded from the following ingredients: Corn Product," borne on the tags attached to the sacks containing the article; regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 7 per cent of crude fat, and that it was compounded wholly from corn, and for the further reason that the article was labeled as aforesaid so as to

deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of crude fat, and that it was compounded wholly from corn, whereas, in truth and in fact, the article contained less than 7 per cent of crude fat, to wit, approximately 4.61 per cent of crude fat, and was not compounded wholly from corn, but was compounded in part from oat hulls.

On September 21, 1920, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8759. Adulteration of eggs. U. S. \* \* \* v. E. Wichmann Frederiksen and Thomas Thomson (White City Creamery & Produce Co.). Pleas of guilty. Fine, \$400. (F. & D. No. 12802. I. S. Nos. 8488-r, 8602-r.)**

On July 31, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. Wichmann Frederiksen and Thomas Thomson, copartners, trading as the White City Creamery & Produce Co., Noonan, N. Dak., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 30 and August 6, 1919, from the State of North Dakota into the State of Minnesota, of quantities of shell eggs which were adulterated.

Examination of a sample of the consignment of July 30, 1919, by the Bureau of Chemistry of this department showed, in 6 cases, the presence of 7.22 per cent of inedible eggs, consisting of black rots, mixed or white rots, moldy or blood rings. Examination of a sample of the consignment of August 6, 1919, by said bureau showed, in 5 half cases, the presence of 28 per cent of inedible eggs consisting of mixed or white rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On October 16, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$400.

E. D. BALL, *Acting Secretary of Agriculture.*

**8760. Adulteration of raisins. U. S. \* \* \* v. 831 Cases of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12567. I. S. No. 13466-r. S. No. E-2050.)**

On March 31, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 831 cases of raisins, remaining unsold in the original unbroken packages at Dunkirk, N. Y., alleging shipment on or about March 6, 1920, by Silvio Rossi, Fresno, Calif., from the State of California into the State of New York, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, putrid, and decomposed vegetable substance, and for the further reason that it consisted wholly or in part of sticks, stems, immature and rotten raisins, and cleaning refuse.

On April 20, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8761. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 49 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (E. & D. No. 12581. I. S. No. 12464-r. S. No. C-1880.)**

On April 13, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 barrels of vinegar, remaining unsold in the original unbroken packages at Columbus, Ohio, shipped on or about September 10, 1919, by the Kistler Vinegar Works, Stroudsburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Pure Fermented Apple Cider Vinegar."

Adulteration of the article was alleged in the libel for the reason that vinegar made from evaporated or dried apple products had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged for the reason that the labels, marks, and brands aforesaid, regarding the said article and the ingredients and substances contained therein, were false and misleading in that said article was not pure fermented apple cider vinegar, but was in fact prepared from evaporated or dried apple products. Misbranding was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure fermented apple cider vinegar.

On May 18, 1920, G. W. Bobb Co., Columbus, Ohio, claimant, having filed an answer, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8762. Adulteration of oats. U. S. \* \* \* v. 40,000 Pounds of Oats. Default decree of condemnation, forfeiture, and destruction. (E. & D. No. 12584. I. S. No. 15233-r. S. No. E-2975.)**

On April 14, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40,000 pounds of oats, remaining unsold in the original unbroken packages at Lawrence, Mass., shipped on or about December 30, 1919, by Bartlett, Frazier Co., Indiana Harbor, Ind., and transported from the State of Indiana into the State of Massachusetts, and charging adulteration under the Food and Drugs Act.

Examination of a sample by the Bureau of Chemistry of this department showed that the product contained castor bean pomace.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous or other added deleterious ingredient which might render the article injurious to health.

On June 25, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8763. Adulteration of canned salmon. U. S. \* \* \* v. 2,140 Cases of Table Pride Brand Alaska Pink Salmon and 725 Cases of Everybody's Brand Alaska Pink Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12585. I. S. Nos. 3414-r, 3415-r. S. No. W-597.)**

On April 16, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,140 cases of canned salmon, labeled "Table Pride Brand Alaska Pink Salmon," and 725 cases of canned salmon, labeled "Everybody's Brand Alaska Pink Salmon," remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about September 12, 1919, and September 22, 1919, by the Columbia Salmon Co., Tenakee Inlet, Alaska, and transported from the Territory of Alaska into the State of Washington, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On August 14, 1920, the Columbia Salmon Co., claimant, having filed an answer, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that the product be salvaged under the supervision of this department, the portion of said article found unfit for food to be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8764. Misbranding of Pendleton's Vegetable Panacea. U. S. \* \* \* v. 35 Bottles of Pendleton's Vegetable Panacea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12587. I. S. No. 13237-r. S. No. E-2070.)**

On April 16, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 bottles of Pendleton's Vegetable Panacea, remaining unsold in the original unbroken packages at Boston, Mass., shipped on or about April 2, 1920, by the G. I. Robinson Drug Co., Thomaston, Me., and transported from the State of Maine into the State of Massachusetts, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Pendleton's Vegetable Panacea or pain expeller \* \* \* It removes the pains or colic and the anguish of a cut or burn \* \* \* for canker night sweats, headache \* \* \* rheumatism, sprains, dysentery, pains in the side, back of breast, gives life to the circulation and vigor to the whole system \* \* \* for diphtheria or sore throat use freely internally and externally \* \* \* palpitation of the heart \* \* \* spasms, cholera, dysentery, spasmodic affections, colic, take from eight to twenty drops in a little sweetened water and increase the dose to a teaspoonful according as the symptoms require for headache bathe freely \* \* \* for wounds apply upon lint till the pain ceases \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of an alcoholic solution of capsicum, camphor, myrrh, and oils of thyme, spearmint, cedar, and cloves.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the

article, were false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8765. Adulteration and misbranding of aspirin. U. S. \* \* \* v. 458 Boxes, 411 Bottles, and 348 Vials of Aspirin. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12589. I. S. No. 8068-r. S. No. C-1575.)

On April 22, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 458 boxes, 411 bottles, and 348 vials of aspirin, remaining unsold in the original unbroken packages at Omaha, Nebr., shipped on or about July 24, 1919, by C. Berthel & Co., New York, N. Y., and transported from the State of New York into the State of Nebraska, and charging adulteration and misbranding under the Food and Drugs Act.

Examination by the Bureau of Chemistry of this department of samples taken from the shipment showed that the composition of the product was variable. The aspirin content varied from 3.5 to 4.8 grains per tablet. Varying amounts of acetic acid and compounds of acetic and salicylic acids other than aspirin were present.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation, and for the further reason that its strength or purity fell below the professed standard or quality under which it was sold.

Misbranding of the article was alleged for the reason that the statement "Aspirin 5 Grain," borne on the labels attached to the article, was false and misleading and deceived and misled the purchaser into believing that he would be purchasing pure aspirin, whereas, in truth and in fact, the said product was not pure aspirin. Misbranding was alleged for the further reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 18, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8766. Misbranding of canned hominy. U. S. \* \* \* v. 872 Cases of Canned Hominy. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 12590. I. S. No. 5005-r. S. No. W-592.)

On April 20, 1920, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 872 cases of canned hominy, remaining unsold in the original unbroken packages at Tucson, Ariz., alleging that the article had been shipped on or about August 20, 1918, by the Empson Packing Co., Longmont, Colo., and transported from the State of Colorado into the State of Arizona, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part,

"Empson's Ye Old Fashioned Hominy Weight of contents 1 lb. 15 oz., 879 grams packed by the Empson Packing Company."

Misbranding of the article was alleged in substance in the libel for the reason that the statement "1 lb. 15 oz., 879 grams," borne on the labels, was false and misleading in that the true and correct weight of contents of each and every one of said cans or packages was not 1 pound and 15 ounces, and was not 879 grams, but was less than 1 pound and 15 ounces, and was less than 879 grams. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of each and every one of said cans and packages was not plainly and conspicuously marked on the outside thereof.

On October 4, 1920, Albert Steinfeld & Co., claimants, having filed an answer, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$1,000 and the payment of the costs of the proceedings, in conformity with section 10 of the act, conditioned in part that the product be not disposed of for human consumption, but that it be disposed of within 90 days for animal or poultry feed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8767. Adulteration and misbranding of gelatin. U. S. \* \* \* v. W. B. Wood Mfg. Co., a Corporation, and W. B. Wood. Plea of nolo contendere. Fine, \$100. (F. & D. No. 12888. I. S. No. 7808-r.)**

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the W. B. Wood Mfg. Co. and W. B. Wood, alleging shipment by said defendants, on or about March 1, 1919, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, of a quantity of gelatin which was adulterated and misbranded. The article was labeled in part, "W. B. Wood Mfg. Co., St. Louis, Mo. Technical." The article was billed as gelatin.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in part of glue and contained 1,533 parts of zinc per million.

Adulteration of the article was alleged in the information for the reason that glue had been mixed and packed with, and substituted in part for, gelatin, which the article purported to be, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was a mixture composed in part of glue and zinc, prepared in imitation of gelatin, and was offered for sale and sold under the distinctive name of gelatin.

On November 6, 1920, the defendants entered pleas of nolo contendere, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8768. Misbranding of Sirop D'Anis (Sirop of Anise). U. S. \* \* \* v. 29 Dozen Bottles \* \* \* of Sirop D'Anis \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12618. I. S. No. 13073-r. S. No. E-2167.)**

On May 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 dozen bottles of a product labeled in part, "Sirop D'Anis," consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at

Auburn, Me., alleging that the article had been shipped on or about November 7, 1919, from Lowell, Mass., and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the packages bore certain statements, regarding the curative or therapeutic effects of said article, as follows, (all consignments, bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and Painful Dentition \* \* \* For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc." (wrapper) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies This syrup is administered in cases of Colics, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refrigidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent, in that the article contained no ingredient or ingredients capable of producing the curative or therapeutic effects claimed for it in such statements.

On June 17, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8769. Misbranding of Texas Wonder. U. S. \* \* \* v. 34 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12911. I. S. No. 3358-r. S. No. W-616.)

On June 28, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about March 27, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "Read Carefully. \* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the bottles were labeled with false and fraudulent statements as to the curative and therapeutic effects of the contents, and that each bottle was accompanied by a circular containing false and fraudulent statements as to the curative and therapeutic effects of the contents of the said bottles, in that said drug was not

a remedy for the diseases named on the label or in the circular accompanying the article.

On October 30, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S770. Adulteration of oats. U. S. \* \* \* v. Taylor & Bournique Co., a Corporation. Plea of guilty. Fine, \$1,100.** (F. & D. No. 8585. I. S. Nos. 1409-m, 1413-m, 2971-m, 2973-m, 6225-m, 6240-m, 6246-m, 6247-m, 2730-m, 10609-m, 10611-m.)

On May 23, 1918, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 11 counts against the Taylor & Bournique Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 6, October 13, and October 14, 1916, from the State of Wisconsin into the State of Maryland, and on or about October 24, 1916, from the State of Wisconsin into the State of Virginia, of quantities of oats which were adulterated.

Analyses of samples of the article taken from each shipment by the Bureau of Chemistry of this department showed 10.4, 10, 15.1, 10.2, 10.6, 9.2, 11.7, 9, 14.9, 10.39, and 11.16 per cent, respectively, of foreign matter, consisting of wild oats, other grains, weed seeds, chaff, and dust.

Adulteration of the article was alleged in the information for the reason that substances, to wit, wild oats, weed seeds, chaff, and dust, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oats which the article purported to be.

On November 1, 1920, a plea of not guilty to the information theretofore entered on behalf of the defendant company having been withdrawn, a plea of guilty was entered, and the court imposed a fine of \$1,100.

E. D. BALL, *Acting Secretary of Agriculture.*

**S771. Adulteration of concentrated tomato and tomato sauce. U. S. \* \* \* v. Thomas Page. Plea of guilty. Fine, \$100.** (F. & D. No. 9116. I. S. Nos. 3562-p, 10584-p.)

On May 9, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas Page, Albion, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 22, 1917, from the State of New York into the State of Pennsylvania, of a quantity of concentrated tomato, and on or about October 25, 1917, from the State of New York into the State of Missouri, of a quantity of tomato sauce, which were adulterated. The articles were labeled in part, "Mt. Etna Brand Concentrated Tomato \* \* \* Packed by Thomas Page, Albion, N. Y.," and "Tripoli Brand Tomato Sauce \* \* \* Packed by Thomas Page, Albion, N. Y."

Analyses of samples of the articles by the Bureau of Chemistry of this department indicated that they were made of partially decomposed tomatoes.

Adulteration of the articles was alleged in the information for the reason that they consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 28, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8772. Adulteration of tomato sauce. U. S. \* \* \* v. Thomas Page. Plea of guilty. Fine, \$100.** (F. & D. No. 9665. I. S. Nos. 1220-p, 2145-p, 11723-p.)

On August 12, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas Page, Albion, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 20, 1917, from the State of New York into the State of Pennsylvania, on or about October 16, 1917, from the State of New York into the State of Rhode Island, and on or about October 22, 1917, from the State of New York into the State of Illinois, of quantities of tomato sauce which was adulterated. The article was labeled in part, "Tripoli Brand Tomato Sauce \* \* \* Packed by Thomas Page, Albion, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was made in whole or in part from decomposed tomatoes.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On October 28, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

**8773. Alleged adulteration and misbranding of tomatoes. U. S. \* \* \* v. 2,967 Cases of Tomatoes. Tried to the court and a jury. Verdict for claimant.** (F. & D. Nos. 11868, 11869. I. S. Nos. 9088-r, 9089-r, S. Nos. C-1669, C-1670.)

On December 31, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,967 cases, each containing 24 cans of tomatoes, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that 1,487 cases had been shipped by the Andrews Packing Co., from Cambridge, Md., September 6, 1919, and that 1,480 cases had been shipped by said company from Linkwood, Md., September 5, 1919, and transported from the State of Maryland into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Asquith Brand Tomatoes \* \* \* Andrews Packing Co., Swards" (or "Salem") "Md."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the above labeling was false and misleading and deceived and misled the purchaser into the belief that the product consisted wholly of tomatoes, whereas it contained added water.

On May 26, 1920, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the court delivered its charge to the jury. The jury thereupon retired and after due deliberation returned into court with a verdict in favor of the claimant of the goods, the said Andrews Packing Co.

E. D. BALL, *Acting Secretary of Agriculture.*

**8774. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 400 Cases \* \* \* of a Product Purporting to be Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 12578. I. S. No. 653-r. S. No. E-2064.)**

On April 9, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 24 cans of a product purporting to be canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Canneries Co., from Campbell, Calif., December 17, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Bear Brand California Tomatoes Packed in their own juice Packed at California Canneries Company, San Francisco, California \* \* \*."

Adulteration of the article was alleged in the libel for the reason that un-concentrated tomato pulp had been mixed and packed with, and substituted in part for, tomatoes.

Misbranding was alleged for the reason that the package and label of the article bore a statement, design, and device, regarding said article and the ingredients and substances contained therein, to wit, "California Tomatoes packed in their own juice," and a design of a whole ripe tomato, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes.

On December 8, 1920, the California Canneries Inc., claimant, San Francisco, Calif., having filed a stipulation admitting the truth of the allegations of the libel and consenting to a decree, judgment of condemnation and forfeiture was entered; and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the claimant at its own expense cause the goods to be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**8775. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 4 Barrels, 4 Barrels, 6 Barrels, and 5 Barrels of a Product Labeled in Part, "Pure Cider Vinegar." Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13130, 13131, 13132, 13133. I. S. Nos. 13096-r, 13097-r. S. Nos. E-2435, E-2440, E-2441.)**

On August 11, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 barrels, 4 barrels, 6 barrels, and 5 barrels of a product labeled in part, "Pure Cider Vinegar Made from Apples by F. E. Jewett & Company, Lowell, Mass.," consigned by F. E. Jewett & Co., Lowell, Mass., remaining unsold in the original unbroken packages at Sanford and South Berwick, Me., alleging that the article had been shipped on or about June 1 and May 17, 1920, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that distilled vinegar had been mixed and packed with, and substituted wholly or in part for, apple cider vinegar.

Misbranding was alleged for the reason that the statement appearing on the label of the article, "Pure Cider Vinegar made from Apples," was false and misleading so as to deceive and mislead the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 30, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8776. Adulteration of Lima beans. U. S. \* \* \* v. 306 Bags and 18 Bags of Lima Beans \* \* \* Madagascar. Consent decree of condemnation and forfeiture as to the 306 bags. Product ordered released on bond for repicking. Default decree of condemnation, forfeiture, and destruction as to the 18 bags. (F. & D. Nos. 13159, 13159-a. I. S. No. 9963-r. S. No. C-2069.)**

On August 6 and August 11, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 306 bags and 18 bags of Madagascar Lima beans, remaining unsold in the original unbroken packages at Des Moines and Burlington, Iowa, respectively, alleging that the article had been shipped by Benjamin Moritz Co., New York, N. Y., February 16, 1920, and transported from the State of New York into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 15, 1920, the Farmers Grain & Milling Co., Des Moines, Iowa, claimant of the 306 bags of the product, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered as to this portion of the product, and it was ordered by the court that the product might be released to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the article be hand picked at the expense of said claimant under the supervision of this department, and that the portion of the product found unfit for human food be destroyed by the United States marshal. On November 17, 1920, no claimant having appeared for the 18 bags of the product, judgment of condemnation and forfeiture was entered with respect to the same, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8777. Adulteration of olives. U. S. \* \* \* v. 17 Barrels of Ripe Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13189. I. S. Nos. 10201-t, 10202-t. S. No. W-642.)**

On August 14, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 barrels of ripe olives, consigned by the California & Italian Products Co., San Francisco, Calif., remaining unsold in the original unbroken packages at Trinidad, Colo., alleging that the article had been shipped on or about April 28 and May 18, 1920, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable substance, to wit, moldy, musty, and rotten olives, and was unfit for human food.

Thereafter, on or about October 19, 1920, the case having come on for disposition and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8778. Misbranding of Chase's nerve pills. U. S. \* \* \* v. 12 Dozen Packages, 9½ Dozen Packages, and 8½ Dozen Packages of Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13249, 13250, 13251. I. S. Nos. 5885-t, 5884-t, 5883-t. S. Nos. E-2484, E-2485, E-2486.)

On August 12, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages, 9½ dozen packages, and 8½ dozen packages of Chase's nerve pills, remaining unsold in the original unbroken packages at Pittsburgh, Pa., consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., alleging that the article had been shipped on or about June 15, May 3 and 12, and June 25, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes, ferrous carbonate, manganese, arsenic, and strychnine.

It was alleged in substance in the libels that the article was misbranded for the reason that certain statements, regarding the therapeutic or curative effects thereof, appearing on its label and in the circular accompanying it, falsely and fraudulently represented it to be effective as a remedy for nervous prostration, nervous headache, nervous dyspepsia, irregular heart action, dizziness and fainting, sleeplessness, to create new brain and nerve tissue and make it next to impossible for the following diseases and symptoms of diseases to set in, nervous prostration, exhaustion, depression, lack of energy, ambition, and nerve force, paralysis and locomotor [ataxia], diseased blood, female troubles, leucorrhea, whites, painful, profuse, or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, grip, and all diseases of the brain and nerves, and various other diseases mentioned in the circular, when, in truth and in fact, it was not.

On October 5, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8779. Misbranding of Pierce's Empress Brand Tansy Cotton Root Pennyroyal and Apioi Tablets. U. S. \* \* \* v. 21 Packages of Pierce's Empress Brand Tansy Cotton Root Pennyroyal and Apioi Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13278. I. S. No. 5122-t. S. No. E-2675.)

On September 2, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 21 packages of Pierce's Empress Brand Tansy

Cotton Root Pennyroyal and Apiol Tablets, consigned about June 1, 1920, by Robert J. Pierce, New York, N. Y., remaining unsold in the original unbroken packages at Springfield, Mass., alleging that the article had been transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, pennyroyal, and plant extractives.

It was alleged in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, "Tansy Cotton Root Pennyroyal and Apiol Tablets A safe emmenagogue. Always reliable and effective. The best known remedy for the suppression of the menstrual function. Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \*, take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* Irregularities. Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow," in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8780. Adulteration of tomato pulp. U. S. \* \* \* v. 400 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12864. I. S. No. 9704-r. S. No. C-1953.)

On June 11, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cans of tomato pulp, remaining unsold in the original unbroken packages, at Norfolk, Nebr., alleging that the article had been shipped on or about September 24, 1919, by Highland [Houghland] Bros. Canning Co., Underwood, Ind., and transported from the State of Indiana into the State of Nebraska, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 13, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8781. Adulteration of canned shrimp. U. S. \* \* \* v. 184 Cases of Cocktail Brand Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12869. I. S. No. 14667-r. S. No. E-2342.)

On June 9, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 184 cases of Cocktail Brand shrimp, remaining unsold in the

original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about December 4, 1919, by the Biloxi Fishermen's Packing Co., Biloxi, Miss., and transported from the State of Mississippi into the State of Pennsylvania, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On June 30, 1920, no claimant having appeared for the property, it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8782. Misbranding of Hobo Kidney and Bladder Remedy. U. S. \* \* \* v. 74 Dozen Bottles of Hobo Kidney and Bladder Remedy. Default decree of condemnation, forfeiture, and destruction. Product released under bond. (F. & D. No. 12871. I. S. Nos. 6004-r, 6018-r. S. No. C-1957.)**

On June 8, 1920, the United States attorney for the District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 74 bottles of Hobo Kidney and Bladder Remedy, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about May 3, 1920, by the Hobo Medicine Mfg. Co., Shreveport, Ind., and transported from the State of Indiana into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part as follows: (Carton) " \* \* \* Kidney and Bladder Remedy. A vegetable compound manufactured from native herbs. \* \* \* Bright's Disease acute & chronic Cystitis, renal and vesical pus or blood in urine, incontinence Albuminuria & Ailments caused from Defective (kidney and bladder) Elimination \* \* \* One of the greatest alteratives \* \* \* Backache, Persistent Headache, Dizziness, Forgetfulness, Weakness and Rheumatism when caused by disordered kidneys, the same being true of inflammation of the bladder \* \* \*;" (bottle) " \* \* \* Kidney and Bladder Remedy. A Vegetable Compound for the Treatment of Bright's Disease, Acute and Chronic Cystitis, Renal and Vesical Pus, or Blood in Urine, Incontinence and Retention, Albuminuria and Ailments caused from Defective Kidneys and Bladder Elimination \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing benzoic or salicylic acid, or their salts, potassium nitrate, and unidentified plant extractives.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, borne on the carton and bottle label and in the booklet accompanying the article, were false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed for it.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8783. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Iysandros D. Ravazula and Theodore D. Ravazula (Ravazula Bros.). Plea of guilty. Fine, \$75. (F. & D. No. 12886. I. S. No. 15896-r.)**

On November 1, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against

Lyssandros D. Ravazula and Theodore D. Ravazula (Ravazula Bros.), New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 11, 1919, from the State of New York into the State of Maryland, of a quantity of salad oil which was adulterated and misbranded. The article was labeled in part: (Woman with olive branch) "Net contents  $\frac{1}{2}$  Gal. Oil superior Quality St. Bertolino Brand Packed by Ravazula Brothers, N. Y. Winter pressed cottonseed salad oil slightly flavored with pure olive oil a compound."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil and was short volume.

Adulteration of the article was alleged in the information for the reason that cottonseed oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements "Oil superior Quality" and "Net Contents  $\frac{1}{2}$  Gal.," together with the design and device of an olive branch bearing olive, not corrected by the statements in inconspicuous type in an inconspicuous place, "Cottonseed salad oil slightly flavored with pure olive oil," borne on the cans containing the article, regarding it and its ingredients, were false and misleading, and labeled so as to deceive and mislead the purchaser into the belief that the article was olive oil, and that each of said cans contained  $\frac{1}{2}$  gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in part of cottonseed oil, and each of said cans did not contain  $\frac{1}{2}$  gallon net of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 17, 1920, the defendants entered a plea of guilty, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**8784. Adulteration and misbranding of saccharin (soluble). U. S. \* \* \* v. The Hymes Bros. Co. Plea of guilty. Fine, \$75. (F. & D. No. 12893. I. S. No. 5584-r.)**

On October 4, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hymes Bros. Co., a corporation, New York, N. Y., alleging shipment by said defendant company, on or about October 16, 1918, in violation of the Food and Drugs Act, from the State of New York into the State of Oklahoma, of a quantity of saccharin (soluble) which was adulterated and misbranded.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it contained about 19 per cent of sugar.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and that it differed from the standard of strength, quality, and purity as determined by tests laid down in said Pharmacopœia, official at the time of said investigation, in that the article contained approximately 19 per cent of sugar, whereas said Pharmacopœia does not provide that sugar is an ingredient of soluble saccharin; the standard of strength, quality, and purity of said article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Saccharine (Soluble)," borne on the can containing the article, regarding it and the ingredients thereof, was false and misleading in that it repre-

sented that said article was soluble saccharin, to wit, a product containing no sugar, whereas, in truth and in fact, said article was not soluble saccharin, but was a product which contained approximately 19 per cent of sugar.

On October 6, 1920, the defendant company entered a plea of guilty, and a fine of \$75 was imposed by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

**8785. Misbranding of Texas Wonder. U. S. \* \* \* v. 6 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12918. S. No. C-1983.)**

On June 17, 1920, the United States attorney for the District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Texas Wonder, remaining unsold in the original unbroken packages at Muskogee, Okla., alleging that the article had been shipped on or about June 7, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Texas Wonder A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "Read Carefully \* \* \* In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements regarding the curative and therapeutic effects of the article were false and fraudulent in that said drug contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 19, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8786. Adulteration and misbranding of concentrated sweetener. U. S. \* \* \* v. 1 Tin of Wood's Special Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12975. I. S. No. 9319-r. S. No. C-1980.)**

On July 1, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 tin containing 5 pounds of a product labeled in part, "Wood's Special Concentrated Sweetener 500," remaining unsold in the original unbroken packages at Washington, Iowa, shipped on or about June 4, 1920, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Wood's Special Concentrated Sweetener 500-500 Soluble in Cold Water. Not Sold As a Drug, W. B. Wood Mfg. Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that it contained an added deleterious ingredient, to wit, saccharin, which might render it injurious to health, and for the further reason that a mixture of sugar, corn

starch, and saccharin had been substituted wholly or in part for food sweetener, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement on the label "Special Concentrated Sweetener 500" was false and misleading in that it represented the product to be 500 times sweeter than sugar, whereas, in truth and in fact, it was not 500 times sweeter than sugar, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 8, 1920, no claimant having appeared for the property, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8787. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12989. S. No. C-2004.)**

On July 3, 1920, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by G. Nash, St. Louis, Mo., on or about June 21, 1920, and transported from the State of Missouri into the State of Alabama, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (small circular, headed "Read Carefully") "In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the statements on the carton or label, above quoted, with reference to the therapeutic and curative qualities of said drug, were false and misleading and false and fraudulent, and that the same were known to be false and fraudulent by the manufacturer, shipper, and those thus labeling said drug at the time it was so labeled.

On September 6, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8788. Misbranding of Dr. Burkhardt's Vegetable Compound. U. S. \* \* \* v. 332 Dozen Packages, 25-Cent Size, and 36 Dozen Packages, 50-Cent Size, of Dr. Burkhardt's Vegetable Compound. Consent decree of condemnation and forfeiture. Goods released under bond. (F. & D. No. 15041. I. S. No. 24718-r. S. No. C-2033.)**

On or about July 17, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 332 dozen packages, 25-cent size, and 36 dozen packages, 50-cent size, of Dr. Burkhardt's Vegetable Compound, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about April 29, 1920, by W. S. Burkhardt, Cincinnati, Ohio, and transported from the State of Ohio into the State of Indiana, and

charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Dr. Burkhart's Vegetable Compound Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia \* \* \* and all Syphilitic Diseases \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, plant extractives and resins (podophyllum indicated), and capsicum.

Misbranding of the article was alleged for the reason that the marks and brands consisting of said statements, above quoted, were false and misleading, and, with respect to the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 13, 1920, W. S. Burkhart, claimant, having filed an answer admitting the allegations of the libel and consenting to a decree, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the penal sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S789. Adulteration and misbranding of birch oil. U. S. \* \* \* v. 3**  
**Caus of a Product Purporting to be Oil of Birch. Default decree of**  
**condemnation, forfeiture, and destruction. (F. & D. No. 13058. I. S.**  
**No. 6251-t. S. No. E-2419.)**

On July 20, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans containing 114½ pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 22, 1920, by T. J. Ray, Newland, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Natural Oil Birch."

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the Pharmacopœial standard of strength, quality, and purity as determined by the tests laid down in the said United States Pharmacopœia, official at the time of investigation, and that its own standard of strength, quality, and purity was not stated upon the container thereof, and for the further reason that the strength and purity of the article fell below the professed standard and quality under which it was sold. Adulteration was alleged for the further reason that synthetic methyl salicylate, derived from a source other than birch, had been mixed and packed with, and substituted in part for, the article.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of birch, and for the further reason that the statement "Natural Oil Birch," borne on the label, was false and misleading and deceived and misled the purchaser.

On October 18, 1920, no claimant having appeared for the property, default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S790. Misbranding of Mother's self-rising flour, medium grits, and Mountain City Mills flour. U. S. \* \* \* v. Mountain City Mill Co., a Corporation. Count 7 dismissed by agreement. Counts 2, 4, 6, 9, and 11 dismissed by the court. Trial of remaining counts before the court and a jury. Verdict of guilty on Counts 1, 8, and 10. Fine, \$300. Verdict of not guilty on Counts 3 and 5. (F. & D. No. 8522. I. S. Nos. 3211-m, 3212-m, 3213-m, 3214-m, 3216-m.)**

On March 21, 1917, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 11 counts against the Mountain City Mill Co., a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Tennessee into the State of Georgia, on or about March 16, 1917, of quantities of Mother's self-rising flour and Mountain City Mills flour, and on or about March 20, 1917, of a quantity of medium grits which were misbranded. The articles were labeled in part, "Mother's Pure Wholesome Self-Rising Flour \* \* \* Mountain City Mill Co., Chattanooga, Tenn. \* \* \* 24 Lbs. when packed," "96 Lbs. Medium Grits \* \* \* Mountain City Mills Chattanooga, Tenn.," and "Mountain City Mills Flour \* \* \* Mountain City Mills \* \* \* 24 Lbs."

Examination of samples by the Bureau of Chemistry of this department showed the average net weight of the articles to be as follows: Self-rising flour (16 sacks), 23 pounds and 8.2 ounces; grits (23 sacks), 95 pounds and 6 ounces; and flour (24 sacks), 23 pounds and 11.2 ounces.

Misbranding of the articles was alleged in the information for the reason that the statements, to wit, in the case of the Mother's self-rising flour, "24 Lbs. when packed," in the case of the medium grits, "96 Lbs.," and in the case of the Mountain City Mills flour, "24 Lbs.," borne on the sacks containing the articles, regarding the articles, were false and misleading in that they represented that said sacks contained 24 pounds or 96 pounds, as the case might be, of the respective articles, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said sacks contained 24 pounds or 96 pounds, as the case might be, of the respective articles, whereas, in truth and in fact, said sacks contained a less amount.

On June 19, 1920, Count 7 of the information having been dismissed by agreement, the case came on for trial before the court and a jury. Counts 2, 4, 6, 9, and 11 were dismissed by the court as being duplicates of remaining counts and the case was submitted to the jury on Counts 1, 3, 5, 8, and 10. After due deliberation the jury returned a verdict of guilty to Counts 1, 8, and 10 of the information and not guilty to Counts 3 and 5, whereupon the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

**S791. Misbranding of Anti-Pneumonia. U. S. \* \* \* v. John B. Cox. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 8611. I. S. No. 10520-m.)**

On July 6, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John B. Cox, Maryville, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about March 6, 1917, from the State of Missouri into the State of Iowa, of a quantity of Anti-Pneumonia which was misbranded. The article was labeled in part, "Anti-Pneumonia \* \* \* Manufactured and sold by John B. Cox, Maryville, Missouri."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a brownish-black, viscid semi-liquid of empyreumatic odor, containing chiefly wood tar, mineral matter similar to talc, and a small amount of glycerin.

Misbranding of the article was alleged in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons and in the leaflet accompanying the article, falsely and fraudulently represented it to be effective as a remedy and cure for bronchitis, congestion of the lungs, acute, inflammatory, and articular rheumatism, suppressed menstruation, and all inflammatory conditions, as a remedy for pneumonia, typhoid fever, tonsillitis, diphtheria, grip, croup, tuberculosis, whooping cough, lumbago, carbuncle, pleurisy, headlitis, and measles, as a cure for pneumonia fever, if taken in time as an absolute cure for all forms of tuberculosis, as an absolute cure for pneumonia fever, as a treatment and remedy for all forms of tuberculosis, and as a preventive of tuberculosis, when, in truth and in fact, it was not.

On September 22, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8792. Adulteration and misbranding of olive oil. U. S. \* \* \* v. John D. Ravazulas [Ravazula] and Lyssandros D. Ravazulas [Ravazula] (Ravazulas [Ravazula] Bros.). Plea of guilty. Fine, \$75. (F. & D. No. 9504. I. S. No. 14812-r.)**

On March 5, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John D. Ravazulas [Ravazula] and Lyssandros D. Ravazulas [Ravazula], co-partners, trading as Ravazulas [Ravazula] Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about May 29, 1918, from the State of New York into the State of Pennsylvania, of a quantity of an article purporting to be olive oil, which was adulterated and misbranded. The article was labeled, (can) "Net Contents  $\frac{1}{2}$  gallon Prodotti Italiana Olio Di Oliva Pure Olive Oil Sopraffino Italia Brand Trade Mark Lucca Toscana Italia."

Examination of the article by the Bureau of Chemistry of this department showed it to consist almost entirely of cottonseed oil and to be short measure.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, designs, and devices regarding the article and the ingredients and substances contained therein, borne on the label, to wit, "Prodotti Italiani Olio Di Oliva Pure Olive Oil Sopraffino Italia Brand Trade Mark Lucca Toscana Italia" and "Net Contents  $\frac{1}{2}$  gallon," were false and misleading in that they purported and represented the article to be a pure olive oil produced in the kingdom of Italy, and the net contents of said packages to be  $\frac{1}{2}$  gallon, whereas, in truth and in fact, the article was not a pure olive oil and was not produced in the kingdom of Italy, but was a mixture composed in part of cottonseed oil, and the net contents of said packages were less than  $\frac{1}{2}$  gallon; for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a pure olive oil produced in the kingdom of Italy, whereas, in truth and in fact, it was not a pure olive oil and was not produced in the

kingdom of Italy, but was a domestic article consisting of a mixture of cotton-seed and olive oil; for the further reason that it purported by its label to be a foreign product, to wit, a product produced in the kingdom of Italy, whereas it was not a foreign product, but was a product produced in the United States of America; and for the further reason that the article was food in package form, and the quantity of food in said package was less than  $\frac{1}{2}$  gallon, and the quantity of food so contained therein was not marked on the outside of said packages in terms of weight, measure, or numerical count.

On March 19, 1919, a plea of not guilty to the information was entered on behalf of the defendant firm. On November 17, 1920, the plea of not guilty was withdrawn and a plea of guilty entered, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**8793. Misbranding of C. G. Remedy. U. S. \* \* \* v. 8 Bottles of C. G. Remedy. Default decree of condemnation, forfeiture, and destruction. (E. & D. No. 11233. I. S. No. 8410-r. S. No. C-1465.)**

On or about September 20, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 bottles of C. G. Remedy, at Blytheville, Ark., consigned by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about June 16, 1919, alleging that the article had been transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (carton) "C. G. Remedy for Gonorrhœa and Gleet \* \* \* C. G. Remedy for Male and Female \* \* \* C. G. Remedy \* \* \* A combination of ingredients of recognized value for the treatment of Gonorrhœa and Gleet \* \* \* This Remedy Produces Prompt Relief." (bottle) "B & B C. G. Remedy For the cure and prevention of Gonorrhœa (clap) Blennorrhœa (gleet) Leucorrhœa (whites) and Allied Forms of Acute and Chronic Inflammatory Mucous Discharges from the Urethra (Urine Canal) \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of zinc salts, boric acid, eucalyptol, phenol, glycerin, unidentified plant extractives, and water.

It was alleged in substance in the libel that the product was misbranded in violation of section 10 [8] of the Food and Drugs Act, paragraph 3, as amended, in that the labels on said carton and bottle were false and misleading and fraudulent, none of the contents having the therapeutic effects claimed.

On November 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8794. Misbranding of macaroni. U. S. \* \* \* v. V. Viviano & Bros., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (E. & D. No. 11348. I. S. No. 9750-p.)**

On March 26, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against V. Viviano & Bros., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 24, 1917, from the State of Missouri into the State of Ohio, of a quantity of macaroni which was misbranded. The article was labeled, "Mulino & Pastificio Elettrico Sit-

vestri Brand" (design of Italian city, volcano, and bay, with cut of factory) "Gragnano Italy" (or "Style").

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Mullino & Pastificio Elettrico Silvestri Brand Gragnano Italy," together with the design and device of the city of Naples with Vesuvius, borne on the labels attached to the boxes containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a foreign product, to wit, a macaroni manufactured and produced in the kingdom of Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, whereas, in truth and in fact, said article was not a foreign product, but was a domestic product, to wit, a macaroni manufactured and produced in the United States of America. Misbranding was alleged for the further reason that the article was falsely branded as to the country in which it was manufactured and produced in that it was represented as manufactured and produced in the kingdom of Italy, whereas, in truth and in fact, it was manufactured and produced in the United States of America, and for the further reason that the statements, designs, and devices on the label as aforesaid purported that said article was a foreign product, when not so.

On November 10, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8795. Adulteration of shell eggs. U. S. \* \* \* v. Newt T. Peek, Ben A. Peek, Isaac M. Lawson, and W. Massie Lawson (Peek & Lawson). Pleas of guilty. Fine, \$50. (F. & D. No. 11354. I. S. No. 6826-r.)**

On June 22, 1920, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Newt T. Peek, Ben A. Peek, Isaac M. Lawson, and W. Massie Lawson, copartners, trading as Peek & Lawson, Box Elder, Tex., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 1, 1919, from the State of Texas into the State of Arkansas, of a quantity of shell eggs which were adulterated.

Examination of 180 eggs from each of two cases showed the presence of 49 inedible eggs, or 13.6 per cent, consisting of black rots, mixed or white rots, and spot rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On October 19, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**8796. Misbranding of Manhood Pills, Phoenix Chili Cure, Spanish No-Kink or Hair Straightener, and Phoenix Skin Success Ointment. U. S. \* \* \* v. Lewis A. Fitzpatrick, Sr., and Lewis A. Fitzpatrick, Jr. (The Fitzpatrick Co.). Pleas of guilty. Fine, \$120 and costs. (F. & D. No. 12339. I. S. Nos. 5599-r, 6138-r, 6139-r, 6147-r.)**

On or about June 29, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against

Lewis A. Fitzpatrick, Sr., and Lewis A. Fitzpatrick, Jr., trading as The Fitzpatrick Co., Helena, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 20, 1919, from the State of Arkansas into the State of Oklahoma, of a quantity of Manhood Pills, on or about December 31, 1919, and February 22, 1919, respectively, from the State of Arkansas into the State of Mississippi, of quantities of Phoenix Chill Cure and Spanish No-Kink or Hair Straightener, and on or about February 24, 1919, from the State of Arkansas into the State of Louisiana, of a quantity of Phoenix Skin Success Ointment, all of which were misbranded. The articles were labeled in part: "Manhood Pills \* \* \* Phoenix Mfg. Co., Helena, Ark.;" "Phoenix Trade Mark Tasteless Chill Cure \* \* \* Prepared by Phoenix Mfg. Co., Helena, Ark.;" "Spanish No-Kink or Hair Straightener \* \* \* The Fitzpatrick Co., Helena, Ark.;" and "Phoenix Skin Success Ointment \* \* \* Contains 10% Mercuric Oxide, Made only by Phoenix Mfg. Co., Helena, Ark."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: The Manhood Pills were pills, each containing very small quantities of strychnine (possibly with nux vomica), zinc (probably as phosphid), and cantharides, together with plant extractives from damiana; the Phoenix Tasteless Chill Cure was a sirup prepared from glucose, containing quinine, sulphuric acid, and plant extractives from senna and possibly licorice, together with a small amount of alcohol; the Spanish No-Kink was a mineral jelly scented with citronella; and the Phoenix Skin Success Ointment was a soft wax scented with citronella, and consisting of mineral wax, talc, and carbonate of lime, with mercury compounds absent.

Misbranding of the articles was alleged in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes, bottles, or cartons containing the article or in the circular or leaflet accompanying the article, falsely and fraudulently represented them to be effective, in the case of the Manhood Pills, to restore lost manhood and bring strong, healthy sexual power; in the case of the Phoenix Chill Cure, as a preventive, treatment, remedy, and cure for chills and fever, bilious, intermittent and remittent fevers, dumb and aching ague, and all malarial disorders, to drive out all the poison that is in the body and put the blood in good fix; in the case of the Spanish No-Kink, as a preventive, treatment, remedy, and cure for head itch, tetter, and all scalp troubles, to remove dandruff and the cause of dandruff, to eradicate all diseases of the scalp, to make the scalp healthy, and to cause five hairs to grow in place of one; and in the case of the Phoenix Skin Ointment, to remove permanently all pimples, as a preventive, treatment, remedy, and cure for eczema and all other itching skin troubles and eruptions, including acne, salt rheum, tetter, ring worm, and all parasitic skin diseases, running sores, and scalp troubles, skin roughness, blotches, and all diseases of the skin, when, in truth and in fact, they were not. Misbranding of the Phoenix Tasteless Chill Cure and Phoenix Skin Success Ointment was alleged for the further reason that the statements, to wit, "Tasteless," "Entirely Vegetable," and "It has Iron in it," or "Contains 10% Red Mercuric Oxide," borne on the cartons or boxes containing the respective articles, regarding them and the ingredients and substances contained therein, were false and misleading in that they represented that the Phoenix Chill Cure was tasteless, that it was entirely vegetable, and that it contained an appreciable amount of iron, and that the Phoenix Skin Ointment contained 10 per cent of red mercuric oxid, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the Phoenix Chill Cure was tasteless, that it was entirely vegetable, and

that it contained an appreciable amount of iron, and that the Phoenix Skin Ointment contained 10 per cent of red mercuric oxid, whereas, in truth and in fact, the Phoenix Chill Cure was not tasteless, was not entirely vegetable, and contained little, if any, iron, and the Phoenix Skin Ointment did not contain 10 per cent of red mercuric oxid, but contained a less amount.

On October 5, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$120 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8797. Adulteration of tomato purée. U. S. \* \* \* v. 300 Cases of Canned Tomato Purée. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12663. I. S. No. 7289-r. S. No. C-1948.)

On May 26, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cases, each containing 48 cans of tomato purée, consigned by Morgan Packing Co., Austin, Ind., April 16, 1920, remaining unsold in the original packages at Louisville, Ky., alleging that the article had been transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Scott Brand Tomato Puree;" (can) "Scott Co. Brand Tomato Puree \* \* \* Morgan Packing Co., Austin, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8798. Misbranding of Sirop D'Anis. U. S. \* \* \* v. 5 Bottles, 30 Bottles, and 48 Bottles of Sirop D'Anis Gauvin Composé. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12760, 12761, 12762. I. S. Nos. 8898-r, 8899-r, 8900-r. S. Nos. C-1950, C-1951, C-1952.)

On June 2, 1920, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 bottles, 30 bottles, and 48 bottles of an article of drugs, labeled in part, "Sirop D'Anis Gauvin Composé," remaining unsold in the original unbroken packages at Escanaba and Schaffer, Mich., alleging that the article had been shipped and transported from the State of Massachusetts into the State of Michigan, by J. A. E. Gauvin, Lowell, Mass., on or about March 1, March 13, and April 15, 1920, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle, March 1 shipment) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, and colds; Recommended for babies and children when process of dentition is painful;" (bottle, remaining shipments) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and Painful Dentition \* \* \*," (French) "For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.;" (wrapper, all shipments) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc.;" (French) "For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.;" (circular, all shipments) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery,

Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful," (French) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills \* \* \* Recommended for babies and children when dentition is painful and when wanting sleep."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effect of said article, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 13, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8799. Adulteration and misbranding of milk powder. U. S. \* \* \* v. United Bakers' Specialty Co., a Corporation. Plea of guilty. Fine, \$25.** (F. & D. No. 12794. I. S. No. 13005-r.)

On July 31, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Bakers' Specialty Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 6, 1918, from the State of New York into the State of Massachusetts, of a quantity of milk powder which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a skimmed milk powder.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, skimmed milk powder, had been substituted wholly or in part for milk powder, to wit, whole milk powder, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the statement, to wit, "Milk Powder," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was milk powder, to wit, a product made from whole milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the article was milk powder, to wit, a product made from whole milk, whereas, in truth and in fact, the article was not a product made from whole milk, but was a product made from skimmed milk. Misbranding was alleged for the further reason that the article was a product made from skimmed milk, prepared in imitation of milk powder, and was offered for sale and sold under the distinctive name of another article, to wit, milk powder.

On August 11, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8800. Adulteration and misbranding of gray shorts. U. S. \* \* \* v. 600 Sacks of Gray Shorts. Product ordered released under bond. (F. & D. No. 12662. S. No. C-1947.)**

On or about May 24, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 sacks of gray shorts, remaining unsold in the original unbroken packages at Gulfport, Miss., alleging that the article had been shipped by the Gateway Milling Co., Kansas City, Mo., on or about May 6, 1920, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Mfg. By Gateway Milling Co. Kansas City, Mo. Gray Shorts Red Dog Flour Pulverized Wheat Bran."

Adulteration of the article was alleged in the libel for the reason that other substances than gray shorts, to wit, damp bran and ground rice hulls, had been mixed and packed therewith so as to injure and lower its quality and strength, and that said substances had been substituted in part, largely, for gray shorts, which the article purported to be, and for the further reason that it had been mixed and powdered in a manner whereby damage or inferiority had been concealed.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, to wit, gray shorts, and for the further reason that the article was labeled, to wit, "Gray shorts," which statement relative to the substances contained therein was false and misleading, and deceived and misled purchasers thereof.

On June 14, 1920, the Gateway Milling Co., Kansas City, Mo., having entered an appearance as claimant of the property and having executed a good and sufficient bond, in conformity with section 10 of the act, it was ordered by the court that the product be released to said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 8801-8850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8801. Misbranding of Linonine. U. S. \* \* \* v. 6 Dozen Large and 18 Dozen Small Bottles of Linonine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12673. I. S. No. 419-r. S. No. E-2191.)**

On May 22, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information against 6 dozen large and 18 dozen small bottles of Linonine, at Fall River, Mass., consigned by the Kerr Chemical Co., Danbury, Conn., on or about February 3, 1920, alleging that the article had been transported from the State of Connecticut into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an emulsion composed of linseed oil, oils of cinnamon and eucalyptus, methyl salicylate, glycerin, and water.

Misbranding of the article was alleged in the libel of information for the reason that the following statements, regarding the curative and therapeutic effects thereof, (bottle) "Pulmonary Diseases, Consumption, Chronic Coughs, Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, Rickets, Scrofula, Whooping Cough, Rheumatic and Strumous Diseases, General Debility, etc. \* \* \* Linonine is Unsurpassed as a Strengtheners, Builder, Blood Renewer and for Affections of the Throat and Lungs," (carton, large size only) "Linonine \* \* \* Uses \* \* \* Pulmonary Diseases, Consumption, Chronic Coughs, Chronic Bronchitis, the After Effects of La Grippe, Wasting Diseases, General Debility, etc. Linonine is Unequalled as a Strengtheners, Builder, Blood Renewer and Affections of the Throat and Lungs \* \* \* the emulsion of linseed oil \* \* \* a most efficient remedy for expectorant coughs \* \* \* in the most chronic forms of the disease \* \* \* prophylactic against emphysema \* \* \* a remedy \* \* \* in the asthmas which have a history of sequence to pertussis or measles \* \* \* in the treatment of a phthisis in patients who cannot take cod liver oil, particularly in those who have much bronchitis \* \* \* change the secretion from the \* \* \* small adhesive,

yellowish pellicle which causes such severe coughing in chronic bronchial catarrh to the secretion which the patients themselves will easily describe as loose and easy," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8862. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 23 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12708. I. S. No. 908-r. S. No. E-2229.)**

On May 26, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 bottles of Gauvin's Cough Syrup, at Plattsburg, N. Y., alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about July 4, 1919, and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "For 'La Grippe.' Whooping-Cough & all affections of the Throat and Lungs;" (cartons, English and French) "Recommended for 'La-Grippe.' Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs \* \* \* 'La Grippe,' Whooping-Cough and all Throat and Lung Diseases;" (circular) "\* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated and recommended in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest \* \* \* Spasmodic Coughs \* \* \*;" (circular, French) "\* \* \* Used against all Affections of the Throat, Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated and recommended for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption \* \* \* Tuberculosis and \* \* \* Epidemic Grippe \* \* \* Diseases of Chest \* \* \* Gastric Disorders."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements, printed upon the labels of the bottles and cartons and in the accompanying circular, were known by the shipper to be false and untrue, and that said statements regarding the curative and therapeutic effect of the article were false and untrue and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8803. Adulteration of canned salmon. U. S. \* \* \* v. 2,096 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12735. I. S. No. 3427-r. S. No. W-610.)**

On or about May 26, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,096 cases, each containing 48 cans of salmon, remaining in the original unbroken packages at Anacortes, Wash., alleging that the article had been shipped by the Alaska Herring & Sardine Co. from Port Walter, Alaska, arriving at Anacortes October 23, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, on the cans: "Petco Brand C. M. Pettibone Co., Select Pink Salmon \* \* \* Distributed by C. M. Pettibone Co., Seattle, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, putrid, and decomposed animal substance.

On July 8, 1920, the Alaska Herring & Sardine Co., Port Walter, Alaska, claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$10,000, in conformity with section 10 of the act, conditioned in part that the good portion of the product be separated from that which was filthy, decomposed, and putrid, and that the bad portion of the product be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8804. Adulteration and misbranding of peanut feed. U. S. \* \* \* v. 300 Sacks of Peanut Feed. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12758. I. S. No. 110-r. S. No. E-2192.)**

On or about May 28, 1920, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks of peanut feed, at Jacksonville, Fla., consigned by the Camilla Cotton Oil & Fertilizer Co., Camilla, Ga., alleging that the article had been shipped on or about April 1, 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that peanut hulls had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged for the reason that the statements appearing in the labeling, to wit, "Peanut Feed \* \* \* Fibre 27.00 Per Cent \* \* \* Made From Pressed Peanut Cake," were false and misleading and deceived and misled the purchaser.

On November 20, 1920, the Cumberland & Liberty Mills Co., Jacksonville, Fla., claimant, having admitted the allegations of the libel but disclaiming intent to violate the law, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that the product be relabeled as follows, "Weevil infested peanut feed, contains 30% added peanut hulls," and that it be sold only for hog or cow feed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8805. Misbranding of Savatan. U. S. \* \* \* v. 120 Packages of Savatan. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13275. Inv. No. 23366. S. No. C-2421.)

On or about September 9, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 packages of Savatan, at Chicago, Ill., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., May 17, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of oils of tansy and mint, and green apiol.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative or therapeutic effect thereof, (circular of directions) "The Effectual Emmenagogue \* \* \* To Prevent Irregularities Take one Savatan three (3) times a day for four or five days before the expected appearance of the menstrual period. For Painful Menstruation or Dysmenorrhœa These excruciating pains which some go through each month can be avoided \* \* \* by taking Savatan as prescribed or suppression," falsely and fraudulently represented the article to be effective as a remedy for the various diseases, ailments, and afflictions mentioned upon the circular aforesaid, when, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8806. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. \* \* \* v. 12 Dozen, 42, and 4 Dozen Packages of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13367, 13368, 13369. Inv. Nos. 23425, 23896, 23899. S. Nos. C-2189, C-2190, C-2191.)

On or about August 21, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages, 42 packages, and 4 dozen packages of Dr. A. W. Chase's Nerve Pills, at Chicago, Ill., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., June 26, 1919, and February 13, and May 3, 1920, respectively, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of strychnine, arsenic, manganese, ferrous carbonate, and aloes.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements regarding the curative or therapeutic effect thereof, (label) "Used in the Treatment of Nervous Prostration \* \* \* Nervous Headache Nervous Dyspepsia \* \* \* Irregular Heart Action Dizziness & Fainting Sleeplessness," (circular) "Nerve pills impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of disease to set in: Nervous prostration, exhaustion, depression \* \* \* sleeplessness

\* \* \* lack of energy, ambition and nerve force, paralysis, and locomotor ataxia \* \* \* diseased blood \* \* \* female troubles, leucorrhœa (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves \* \* \* On account of their extraordinary restorative influence and \* \* \* action on the system \* \* \* Nerve Pills are especially suited to the needs of children \* \* \* weak and puny boys and girls become strong, healthy and robust \* \* \* nourish the blood and nerves \* \* \* nourish the weakened and exhausted nervous system back to health and strength \* \* \* through the nerve fibres \* \* \* send new vitality through the whole human system \* \* \* nerves \* \* \* must be completely restored by such nourishment as can best be supplied by \* \* \* Nerve Pills, the great restorative \* \* \* loss of sensation in the hands, partial loss of memory \* \* \* dizziness and uncertainty in walking \* \* \* should be treated \* \* \* while there is hope of complete recovery \* \* \* Nerve Pills \* \* \* restore the wasted nerve force \* \* \* by strengthening the nerves give them full control of the female organs \* \* \* no preparation known \* \* \* will more quickly create new, rich blood than \* \* \* Nerve Pills \* \* \* contain the life-giving principles that entitle the blood to be called the 'vital fluid' \* \* \* Make pale weak men and women strong and healthy \* \* \* give to the thin and emaciated a well rounded form which tells of a steady advance in health \* \* \*," falsely and fraudulently represented it to be effective as a remedy for the various diseases, ailments, and afflictions mentioned upon each of the packages containing the article and upon the circular enclosed in each of said packages, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8807. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 33 and 36 Packages of Dr. Martel's Female Pills and 4 Packages of Dr. Martel's Special Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13405, 13406. Inv. Nos. 23354, 23901, 23902. S. Nos. C-2217, C-2218.)**

On or about August 21, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 33 packages and 36 packages of Dr. Martel's Female Pills, and 4 packages of Dr. Martel's Special Female Pills, at Chicago, Ill., alleging that the articles had been shipped by the French Drug Co., New York, N. Y., November 26, 1919, and June 8, 1920, respectively, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Female Pills consisted essentially of oil of savin, and ferrous sulphate and carbonate, and that the Female Pills Special consisted essentially of oil of tansy, aloes, and ferrous sulphate and carbonate.

It was alleged in substance in the libels that the articles were misbranded in that the following statements regarding the curative or therapeutic effects thereof, (package) "Female Pills \* \* \* for (suppression of the menses) dysmenorrhœa (painful menstruation) and similar \* \* \* derangements," (circular) "Female Pills \* \* \* For Disturbances of the Menstrual Func-

tions \* \* \* For Amenorrhœa (Suppression of the Menses) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhœa (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow," falsely and fraudulently represented them to be effective as remedies for the various diseases, ailments, and afflictions mentioned upon each of the packages containing the articles and upon the circular inclosed therein, whereas, in truth and in fact, they were not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SSOS. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 2 Dozen Packages and 2 Dozen Packages of Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13478, 13650. Inv. Nos. 23351, 26501. S. Nos. C-2294, C-2460.)

On or about August 24, and September 10, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 dozen and 2 dozen packages of Madame Dean Female Pills, at Chicago, Ill., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., August 20, 1919, and June 14, 1920, respectively, and transported from the State of Pennsylvania into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous sulphate, quinine, hydrastis, ginger, and cornstarch.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements regarding the curative or therapeutic effect thereof, (label and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly period \* \* \* strengthen and build up the uterine function," (circular) "\* \* \* a great relief against those general complaints the female sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* Should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again," falsely and fraudulently represented the article to be effective as a remedy for

the various diseases, ailments, and afflictions mentioned on the label and wrapper upon each of the packages containing the article and in the circular and booklet inclosed in each of said packages, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS09. Misbranding of Palmo Tablets. U. S. \* \* \* v. 28 Packages of Palmo Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13609. Inv. No. 26625. S. No. C-2361.)

On or about September 3, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 packages of Palmo Tablets, at Chicago, Ill., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., May 31, 1920, and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of plant extractives, including damiana and nux vomica, iron phosphate, and a small amount of phosphorus.

It was alleged in substance in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effect thereof, (box) "A \* \* \* remedy for many Nervous Disorders \* \* \* irritability, weakness, depression, etc. \* \* \* for men or women who are run-down generally and who lack energy or ambition," (circular) "No one can attain \* \* \* success \* \* \* without an abundance of vitality or nerve force \* \* \* excesses of the usual kind \* \* \* may bring about this condition \* \* \* we have \* \* \* reliable treatment for just such cases \* \* \* Palmo Tablets re-animate and re-vitalize. They are \* \* \* for Nervous Exhaustion or Debility, Depression or Despondency, Irritability, Fretfulness, Fidgets, Lack of Tone," falsely and fraudulently represented it to be effective as a remedy for the various diseases, ailments, and afflictions mentioned upon the label of the boxes containing the article and in the circular inclosed therein, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS10. Adulteration and misbranding of lemon extract. U. S. \* \* \* v. 5 Gross Bottles of Lemon Extract. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11586. I. S. No. 16372-r. S. No. E-1853.)

On January 8, 1920, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 gross bottles of lemon extract, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by the Okay Extract Co., New York, N. Y., October 19, 1919, and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled in part: (Carton) "Lion Brand Pure Lemon Extract specially prepared by the Okay Extract Co., New York. We guarantee the contents of this package to be satisfactory in every way;" (bottle) "Lion Brand Pure Lemon Extract specially prepared by the Okay Extract Co., New York."

Adulteration of the article was alleged in the libel for the reason that dilute alcohol containing a trace of citral product had been mixed and packed with said lemon extract so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the printing and labels hereinbefore quoted were false and misleading and deceived and misled purchasers of the article, for the further reason that the article was an imitation of, and offered for sale under the name of, another article, and for the further reason that it was food in package form, and the quantity of the contents of said packages was not plainly and conspicuously marked on the outside thereof.

On December 1, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8811. Misbranding of Gauvin's Cough Syrup and Sirop D'Anis (sirup of anise). U. S. \* \* \* v. 222 Bottles of Sirop D'Anis and 168 Bottles and 18 Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12664, 12665, 12666, 12667, 12668. I. S. Nos. 901-r, 903-r, 904-r, 909-r, 907-r. S. Nos. E-2186, E-2187, E-2164, E-2179, E-2180.)**

On May 22, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of drugs, as follows, 132 bottles at Ogdensburg, N. Y., 36 bottles at Malone, N. Y., and 18 bottles at Albany, N. Y., of Gauvin's Cough Syrup, shipped on or about August 26, 1919, and on or about March 1, 1920, and 36 bottles and 186 bottles at Ogdensburg, of Sirop D'Anis, shipped on or about August 30, 1919, alleging that the articles had been shipped by J. A. E. Gauvin, Lowell, Mass., and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The Gauvin's Cough Syrup was labeled in part: (Ogdensburg and Malone consignments) (bottle) "For \* \* \* La Grippe; Whooping Cough & all affections of the Throat and Lungs;" (carton, English and French) "Recommended for La Grippe, Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs \* \* \* La Grippe; Whooping-Cough and all Throat and Lung Diseases;" (circular) "\* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated and recommended in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest \* \* \* Spasmodic Coughs \* \* \*;" (circular, French) "\* \* \* Used against all affections of the Throat, Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated and recommended for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza, and the first stages of Consumption \* \* \* Tuberculosis and \* \* \* Epidemic Grippe \* \* \* Diseases of Chest \* \* \* Gastric Disorders;" (Albany consignment) (bottle) "For

La Grippe, Whooping-Cough & all affections of the Throat & Lungs;" (carton, English and French) "Recommended for 'La Grippe,' Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* for all Diseases of the Respiratory Organs;" (circulars, English and French) " \* \* \* the greatest possibilities of a radical cure \* \* \* highly recommended for all Affections of the Respiratory Organs \* \* \* its persistent use produces a beneficent relief in serious as well as desperate cases \* \* \* a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this remedy \* \* \* especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs \* \* \* it will relieve the worst cases \* \* \*." The Sirop D'Anis was labeled in part: (Bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition \* \* \*," (French) "For Babies \* \* \* This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc. \* \* \*;" (wrapper) "For Babies \* \* \* This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. \* \* \*," (French) "For Babies \* \* \* This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc. \* \* \*;" (circular) "For Babies. \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds, and Sleeplessness. Recommended for babies and children when the process of dentition is painful," (French) For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements) Recommended for babies and children when dentition is painful and when wanting sleep."

Analysis of samples of the articles by the Bureau of Chemistry of this department showed that the cough sirup consisted essentially of extractives of wild cherry bark and spruce gum, sugar alcohol, and water, and that the sirup of anise consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the articles was alleged in substance in the libels for the reason that the aforesaid statements, regarding the curative and therapeutic effect of said articles, were false and untrue and fraudulent in that they contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8812. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 10½ Dozen and 12 Dozen Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12669, 12670. I. S. Nos. 18586-r, 18584-r. S. Nos. E-2181, E-2182.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10½ dozen and 12 dozen bottles of Gauvin's Cough Syrup, consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at Brunswick, Me., alleging that the article had been shipped on or about October 9,

1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended. The 10 $\frac{2}{3}$  dozen bottles were labeled in part: (Bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough and all affections of the Throat and Lungs;" (carton) " \* \* \* Recommended for \* \* \* 'La Grippe,' Whooping-Cough & all Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs \* \* \* 'La Grippe,' Whooping-Cough and all Throat and Lung Diseases;" (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest \* \* \* Spasmodic Coughs \* \* \* Used against all affections of the Throat, Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption \* \* \* Tuberculosis and \* \* \* Epidemic Grippe \* \* \* Diseases of the Chest \* \* \* Gastric Disorders;" (wholesale carton) " \* \* \* recommended for Pulmonary Diseases \* \* \* affections of the Throat, Bronchial Tubes and Lungs, Hoarseness \* \* \* La Grippe, Whooping Cough." The 12 dozen bottles were labeled in part: (Bottle) " \* \* \* For 'La Grippe,' Whooping-Cough & all affections of the Throat and Lungs;" (carton) " \* \* \* Recommended for 'La Grippe,' Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* for all Diseases of the Respiratory Organs;" (circular) " \* \* \* the greatest possibilities of a radical cure \* \* \* highly recommended for all Affections of the Respiratory Organs \* \* \* its persistent use produces a beneficent relief in serious as well as desperate cases \* \* \* a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness, and Influenza have proven conclusively the efficacy of this remedy \* \* \* especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs \* \* \* It will relieve the worst cases \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark, spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the aforesaid statements, regarding the curative or therapeutic effects thereof, were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the effects claimed.

On July 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SS13. Misbranding of Sirop D'Anis (sirup of anise). U. S. \* \* \* v. 120  
Bottles of Sirop D'Anis. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12707. I. S. No. 905-r. S. No. E-2197.)

On May 26, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 bottles of Sirop D'Anis, at Ogdensburg, N. Y., alleging that

the articles had been shipped by J. A. E. Gauvin, Lowell, Mass., on or about August 26, 1919, and transported from the State of Massachusetts into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "For Babies \* \* \* Colic, Dysentery \* \* \*," (French) "For Babies \* \* \* This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc. \* \* \*," (wrapper) For Babies \* \* \* This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. \* \* \*," (French) "For Babies \* \* \* This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc. \* \* \*," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful," (French) "For babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements) Recommended for babies and children when dentition is painful and when wanting sleep."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, alcohol, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements printed upon the labels of the bottles and wrappers and in the accompanying circulars were known by the shipper to be false and untrue, and that said statements regarding the curative and therapeutic effect of the article were false and untrue and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8814. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. 42. 57. 112. 12 Dozen, 117, 76, 47, and 6 Dozen Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12718, 12719, 12720, 12721, 12722, 12723, 12724, 12725. I. S. Nos. 18580-r, 18576-r, 18579-r, 18578-r, 18375-r, 18582-r, 18372-r, 18597-r. S. Nos E-2220, E-2221, E-2228, E-2230, E-2234, E-2222, E-2232, E-2233.)**

On May 27, and June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of Gauvin's Cough Syrup, consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages as follows, 42 bottles at Lisbon, Me., and 76 bottles and 47 bottles at Waterville, Me., shipped on or about October 9, 1919, 57 bottles and 12 dozen bottles at Skowhegan, Me., 112 bottles at Lisbon, Me., and 6 dozen bottles at Livermore Falls, Me., shipped on or about October 10, 1919, and 117 bottles at Fairfield, Me., shipped on or about October 23, 1919, alleging that the article had been shipped and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, regarding the curative or therapeutic effects thereof, to wit, (portion of shipment) (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all affections of the Throat and Lungs," (carton) " \* \* \* Recommended for \* \* \* 'La Grippe,' Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases of the Respiratory Organs \* \* \* all Throat and Lung Diseases," (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest \* \* \* Spasmodic Coughs \* \* \* Used against all affections of the Throat, Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping Cough, Grippe, Hoarseness, Influenza and the first stages of Consumption \* \* \* Tuberculosis and Epidemic Grippe \* \* \* Diseases of the Chest \* \* \* Gastric Disorders," (wholesale carton) " \* \* \* recommended for Pulmonary Diseases \* \* \* affections of the Throat, Bronchial Tubes and Lungs, Hoarseness \* \* \* La Grippe, Whooping Cough," (remainder of shipment) (bottle) " \* \* \* For La Grippe, whooping cough and all affections of the throat and lungs," (carton) " \* \* \* Recommended for La Grippe, whooping cough and all throat and pulmonary diseases \* \* \* for all diseases of the respiratory organs," (circular) " \* \* \* the greatest possibilities of a radical cure \* \* \* highly recommended for all Affections of the Respiratory Organs \* \* \* its persistent use produces a beneficial relief in serious as well as desperate cases \* \* \* a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs \* \* \* the use of Gauvin's Syrup in the treatment of more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this remedy \* \* \* Especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs \* \* \* It will relieve the worst cases \* \* \*," were false and fraudulent in that the article contained no ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 11, June 17, and July 20, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8815. Misbranding of Sirop D'Anis (sirup of anise). U. S. \* \* \* v. 20, 29, 28, and 11 Dozen, 71, 57, and 5 Dozen, and 18 Bottles of Sirop D'Anis. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12726, 12727, 12728, 12729, 12730, 12731, 12732, 12733. I. S. Nos. 18587-r, 18592-r, 18371-r, 18590-r, 18594-r, 18374-r, 18596-r, 18598-r. S. Nos. E-2198, E-2245, E-2239, E-2242, E-2244, E-2240, E-2241, E-2249.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of Sirop D'Anis, remaining unsold in the original unbroken packages, consigned by J. A. E. Gauvin, Lowell, Mass., as follows: 20 bottles, 29 bottles, and 11 dozen bottles at Brunswick, Me.; 28 bottles at Augusta, Me.;

and 18 bottles at Rumford, Me., shipped on or about October 9, 1919; 71 bottles at Chisholm, shipped on or about October 3, 1919; 57 bottles at Fairfield, Me., shipped on or about October 23, 1919; and 5 dozen bottles at Livermore Falls, shipped on or about October 10, 1919, alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing in the labeling, regarding the curative or therapeutic effects thereof, as follows, (two first-named consignments) (bottle) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs and colds. Recommended for babies and children when process of dentition is painful," (remaining consignments) (bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness and painful dentition \* \* \* For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.," (all consignments) (wrapper) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc., Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness etc.," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds, and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," were false and fraudulent since the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it.

On July 11, and July 20, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8816. Misbranding of Gauvin's Cough Syrup.** U. S. \* \* \* v. 141, 70, 36, 113, 24, 692, and 36 Bottles of Gauvin's Cough Syrup. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12736, 12737, 12738, 12739, 12740, 12741, 12742. I. S. Nos. 18600-r, 18599-r, 18593-r, 18588-r, 18591-r, 18595-r, 18589-r. S. Nos. E-2250, E-2251, E-2258, E-2259, E-2260, E-2261, E-2262.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 141, 70, 36, 113, 24, 692, and 36 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Rumford, Brunswick, and Chisholm, Me., consigned by J. A. E. Gauvin, Lowell, Mass., alleging that the article had been shipped on or about October 9, October 10, and October 3, 1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark, spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged, in substance, in the libel for the reason that certain statements appearing in the labeling, regarding the curative

or therapeutic effects thereof, as follows. (bottle) " \* \* \* For \* \* \* 'La Grippe,' Whooping-Cough & all affections of the Throat and Lungs," (carton) " \* \* \* Recommended for \* \* \* 'La Grippe,' Whooping-Cough and all Throat and Pulmonary Diseases \* \* \* a safe and active Remedy for all Diseases of the Respiratory Organs: \* \* \* all Throat and Lung Diseases," (circular) " \* \* \* Successfully used in all affections of the Throat, Bronchi and Lungs \* \* \* especially indicated in the treatment of all cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the chest \* \* \* Spasmodic Coughs \* \* \* Used against all affections of the Throat, Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated for the treatment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs, Asthma, Whooping cough, Grippe, Hoarseness and \* \* \* Epidemic Grippe \* \* \*, Diseases of the Chest \* \* \* Gastric Disorders," were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the effects claimed.

On July 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS17. Adulteration and misbranding of poppy seed. U. S. \* \* \* v. 4  
Bags of Poppy Seeds. Default decree of condemnation, forfeiture,  
and destruction. (F. & D. No. 12988. I. S. No. 13093-r. S. No. E-2410.)**

On July 1, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 bags of poppy seeds, remaining unsold in the original unbroken packages at Boston, Mass., shipped on or about December 20, 1919, by the Ignatius Gross Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding under the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was poppy seed artificially colored with blue dye.

Adulteration of the article was alleged in the libel for the reason that artificially colored poppy seed had been substituted wholly or in part for the article, and that the article was colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 23, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS18. Misbranding of Texas Wonder. U. S. \* \* \* v. 12 Dozen Bottles  
of Texas Wonder. Default decree of condemnation, forfeiture,  
and destruction. (F. & D. No. 13009. I. S. No. 9547-r. S. No. C-2014.)**

On July 10, 1920, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Texas Wonder, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about May 27, 1920, by E. W. Hall, St. Louis, Mo., and

transported from the State of Missouri into the State of Alabama, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (small circular, headed "Read Carefully") "In cases of Gravel and Rheumatism Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Adulteration of the article was alleged in the libel for the reason that the statements on the carton or label above quoted, with reference to the therapeutic and curative qualities of said drug, were false and misleading and false and fraudulent, and that the same were known to be false and fraudulent by the manufacturer, shipper, and those thus labeling said drugs at the time they were so labeled.

On September 6, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8819. Misbranding of McConnon's Stock Tonic. U. S. \* \* \* v. 6 Pails and 19 Cartons of McConnon's Stock Tonic. Consent decree of condemnation and forfeiture. Goods released under bond.** (F. & D. No. 13011. I. S. No. 252-r. S. No. E-2411.)

On July 14, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 pails and 19 cartons of McConnon's Stock Tonic, remaining unsold in the original unbroken packages at Rome, Ga., alleging that the article had been shipped on or about June 19, 1919, and April 10, 1920, by McConnon & Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Horses \* \* \* for \* \* \* epizooty, influenza \* \* \* hog cholera \* \* \* Feed two large tablespoonfuls to each hog or two pigs 3 times a day. If diseased feed 4 to 6 tablespoonfuls to each hog or two pigs 3 times a day \* \* \*;" (booklet accompanying both cartons and pails) "\* \* \* Cattle, Milch Cows and Calves \* \* \* Scours. McConnon's Stock Tonic in doses of two or three tablespoonfuls three times a day. In very bad cases add a tablespoonful of powdered charcoal to the dose of the Tonic and mix with the regular feed \* \* \* Hogs, Sows, Pigs and Shoats \* \* \* Scours. Give two or four tablespoonfuls of McConnon's Stock Tonic to each pig in small amounts of feed. If disease is very bad add one tablespoonful of powdered charcoal to the regular dose of Tonic and feed until disease is improved, then use the Tonic only. Hog Cholera. \* \* \* Give each hog six large tablespoonfuls McConnon's Stock Tonic in good, wholesome, easily digested food, such as ground feed, rye, oats, etc., mixed with milk or pure water, every three hours until cured. Be sure that each hog gets his proper share of the Tonic, otherwise it will not act. The dose can be increased if necessary with perfect safety. If you have hog cholera on your premises or in your neighborhood feed well hogs four tablespoonfuls of McConnon's Stock Tonic three or four times a day in regular feed."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of salt, charcoal, American wormseed, capsicum, gentian, fenugreek, and cereal filler.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, appearing on the label and carton, and in the circulars and booklet accompanying and enclosed with said cartons and pails, were false and fraudulent in that the same were applied to said drug knowingly and in a reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers thereof, and to create in the minds of purchasers thereof, the impression and belief that the said product was in whole or in part composed of and contained ingredients or medicinal agents effective, among other things, as a remedy, a cure, and a preventive of the diseases named on the label and carton, and in the circulars and booklet, and that the said drug was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective as a remedy, cure, or preventive of the said diseases in horses, swine, and cattle.

On October 21, 1920, McConnon & Co., claimant, having filed an answer admitting the truth of the allegations of the libel and consenting to a decree, a judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS20. Adulteration and misbranding of flour. U. S. \* \* \* v. 410 Sacks of Flour. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 997. I. S. No. 4226-b. S. No. 321.)**

On October 6, 1909, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 7, 1910, an amended libel, praying the seizure and condemnation of 410 sacks of flour, at Indianapolis, Ind., alleging that the article had been shipped on or about September 14, 1909, by the Larabee Flour Mills Co., Hutchinson, Kans., and had been shipped from the State of Kansas into the State of Massachusetts, and thereafter re-shipped from the State of Massachusetts into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Hard Wheat Patent Loyal Flour."

It was alleged in substance in the libel that the article was adulterated for the reason that substances known as nitrites or nitrite reacting material had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; for the further reason that said article had been mixed, colored, and stained in a manner whereby damage and inferiority were concealed, and for the further reason that said flour contained added poisonous and other added deleterious ingredients, which might render the same injurious to health.

Misbranding was alleged in substance for the reason that the article was labeled "Hard Wheat Patent Loyal Flour," which said labeling represented that the flour was a patent flour made from hard wheat, whereas such labeling was false and misleading in that the flour was not a patent flour at all, and was not made wholly from hard wheat, but was made from a mixture of hard and soft wheats. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, hard wheat

patent, and further for the reason that it was labeled so as to deceive and mislead the purchasers in respect to the kind, grade, quality, and value of said flour.

On October 18, 1910, the said Larabee Flour Mills Co., owner of the flour, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS21. Misbranding of Gray's Ointment. U. S. \* \* \* v. 36 Dozen Boxes of \* \* \* Gray's Ointment. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11108. I. S. No. 16549-r. S. No. E-1674.)**

On August 26, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 dozen boxes of Gray's Ointment, at Jacksonville, Fla., consigned by W. F. Gray & Co., Nashville, Tenn., alleging that the said article had been shipped on or about July 7, 1919, and transported from the State of Tennessee into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "W. F. Gray's Genuine Ointment, Nashville, Tenn."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of linseed oil, lead soap, lead acetate, turpentine, and wax.

It was alleged in substance in the libel that the article was misbranded for the reason that the circular inclosed with the boxes of the article contained, among other things, the following statements, "Gray's Ointment \* \* \* For the relief of Mercurial and other Ulcers of long or short standing \* \* \* Scrofulous and other Tumors, including White Swellings, Sore Legs \* \* \* Old or Fresh Wounds, Gunshot Wounds \* \* \* Swellings and Inflammations of all kinds, Rheumatic and other Pains, Scalds and Burns \* \* \* Tetter on the hand or any other part of the body \* \* \* Carbuncles, Cancerous Affections, Gangrene, Eruptions of all kinds \* \* \* Dog, Snake, Spider and other Poisonous Bites, Broken Breasts, Sore Nipples \* \* \* Weak Loins, Limbs, Muscles, Injured Spine, Sore Eyes, Swellings of all kinds \* \* \* Sore Throat \* \* \* in Pleurisy and Pneumonia, it is unequalled \* \* \* Wind Galls, Sore Back, Cracked Heel, Fistula, and in fact almost every other External disease that afflicts man or brute \* \* \* for an Ulcer, Tumor, or Eruption \* \* \* In early stages of Inflammatory Rheumatism and Soreness about the Breast \* \* \*" (similar statements in German and Spanish), regarding the curative and therapeutic effect of said article, which said statements were false and fraudulent and misleading in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On May 20, 1920, W. F. Gray & Co., Nashville, Tenn., claimant of the property, having filed its bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the article be relabeled in conformity with the law, it was ordered by the court that the product be delivered to said claimant, and that upon payment of the costs of the proceeding the case should be finally dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**8822. Misbranding of cottonseed meal. U. S. \* \* \* v. Charles A. Ailing (Forest City Oil Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12333. I. S. No. 11987-r.)**

On June 26, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles A. Ailing, trading as the Forest City Oil Co., Forest City, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 13, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Bee Brand Cotton Seed Meal \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.46 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 41%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 41 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein, whereas, in truth and in fact, it contained less than 41 per cent of protein.

On October 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8823. Misbranding of cottonseed meal, cottonseed cake, and cottonseed screenings. U. S. \* \* \* v. Phoenix Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12338. I. S. Nos. 7500-r, 12044-r, 12045-r.)**

On October 28, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Phoenix Cotton Oil Co., a corporation, Walnut Ridge, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 6, 1919, from the State of Arkansas into the State of Missouri, of a quantity of cottonseed meal, and, on or about March 7, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed cake and cottonseed screenings which were misbranded. The cottonseed meal was labeled in part, "Phoenix Cotton Seed Meal \* \* \* Manufactured by Phoenix Cotton Oil Company, Walnut Ridge, Ark." The cottonseed cake was labeled in part, "Chic-Tex Quality Cotton Seed Meal or Cake." The cottonseed screenings were unlabeled.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the cottonseed meal contained 37.2 per cent of protein and 12.8 per cent of crude fiber, and that the cottonseed cake contained 40.77 per cent of protein.

Misbranding of the cottonseed meal and cottonseed cake was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Protein Not less than 38.62 per cent. \* \* \* Fiber not more than 12 per cent," and "Guaranteed Analysis Protein not less than 43 per cent," borne on the tags attached to the sacks containing the articles, regarding them and the ingredients and substances contained therein, were false and misleading in that they represented that the articles contained not less than 38.62 per

cent of protein and not more than 12 per cent of fiber, or not less than 43 per cent of protein, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 38.62 per cent of protein and not more than 12 per cent of fiber or not less than 43 per cent of protein, as the case might be, whereas, in truth and in fact, the articles did contain less than 38.62 per cent of protein and more than 12 per cent of fiber, or less than 43 per cent of protein, as the case might be, to wit, approximately 37.2 per cent of protein and approximately 12.8 per cent of fiber, or approximately 40.77 per cent of protein. Misbranding of the cottonseed screenings was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 22, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8824. Misbranding of Texas Wonder. U. S. \* \* \* v. 31 Bottles, 20 Bottles, 9 Bottles, and 31 Bottles of Texas Wonder (4 libels). Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12459, 12876, 12877, 12878. I. S. Nos. 9830-r, 24703-r, 24704-r, 24715-r. S. Nos. C-1941, C-1962, C-1963, C-1964.)**

On May 21, June 11, and June 14, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 4 libels for the seizure and condemnation of 31, 20, 9, and 31 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Evansville, Ind., Terre Haute, Ind., and Indianapolis, Ind., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about March 11, April 17, April 2, and April 10, 1920, and transported from the State of Missouri into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in children;" (small circular, headed "Read Carefully") "In cases of gravel and rheumatic troubles, it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libels for the reason that the foregoing statements borne on the carton and in the circular, regarding the curative and therapeutic effects of the article, were false and fraudulent in that said article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On July 17, 1920, no claimant having appeared for the property, default decrees of condemnation, forfeiture, and destruction were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8825. Adulteration and misbranding of cottonseed feed. U. S. \* \* \* v. 300 Sacks of "Economy" Cottonseed Feed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 12701. I. S. No. 15522-r. S. No. E-2063.)**

On May 27, 1920, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District

Court of the United States for said district a libel, and on June 28, 1920, an amendment to the libel, praying seizure and condemnation of 300 sacks of "Economy" cottonseed feed, at Petersburg, Va., alleging that the article had been shipped, on or about January 12, 1920, by Lyle & Lyle, Camilla, Ga., and transported from the State of Georgia into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, crude cottonseed fiber, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged in the libel, as amended, for the reason that the labels upon the product bore certain statements regarding the article and the ingredients and substances contained therein, to wit, "'Economy' Cotton Seed Feed \* \* \* Protein, not less than 36 per cent \* \* \* Fiber, not more than 14 per cent," which said statements were false and misleading and deceived and misled the purchaser into the belief that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, when, in truth and in fact, it contained a less proportion of protein and a greater proportion of fiber. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Economy" cottonseed feed, when, in truth and in fact, it was not "Economy" cottonseed feed.

On June 28, 1920, the Virginia Feed & Grain Co., having filed an answer to the libel as owner of the product, and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8826. Adulteration and misbranding of orange squeeze. U. S. \* \* \* v. 4 One-Half Barrels \* \* \* of Orange Squeeze. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 13486. I. S. Nos. 4101-t, 4102-t. S. No. C-2436.)**

On September 9, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 one-half barrels of orange squeeze, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the articles had been shipped on June 21, 1920, by the National Fruit Flavor Co., New Orleans, La., and transported from the State of Louisiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that an imitation orange product containing little or no orange juice had been substituted [in] whole or in part for the article of food known as orange squeeze, and for the further reason that said article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the article bore a label in words and figures as follows, to wit, "Flavoring Syrup No label required on 6 pieces Chicago Beverage Co., 3423 W. 13th Place, Chicago, Ill., from Nat'l Fruit Flavor Co., No La Orange Squeeze, sixteen to one strength For Bottling. Prepared from natural fruit. Colored with Harmless Colors and Preserved with less than 1-10th of 1% Sodium Benzoate. National Fruit Flavor Company, New Orleans, La.," which said labeling was false and misleading and deceived

and misled the purchaser in that the article did not contain orange juice, but, in truth and in fact, contained a substance flavored with oil of orange. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another food product, to wit, orange squeeze.

On November 19, 1920, the Chicago Beverage Co., Chicago, Ill., claimant, having admitted the material allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be surrendered and delivered to said claimant upon payment of all the costs of the proceeding and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department and of the United States marshal for said district.

E. D. BALL, *Acting Secretary of Agriculture.*

**8827. Misbranding of Bick's Sextone Pills. U. S. \* \* \* v. 11 Packages and 4 Packages of Bick's Sextone Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13689, 13690. I. S. Nos. 440-t, 455-t. S. Nos. C-2333, C-2334.)

On or about September 28, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 boxes and 4 boxes of Bick's Sextone Pills, remaining unsold in the original unbroken packages at Gotebo, and Erick, Okla., respectively, alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Bick's Sextone Pills;" (box) "Sexton Pills \* \* \* Composed of \* \* \* Aphrodisiac Agencies \* \* \*"

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, chocolate-colored pills and orange-colored pills. The chocolate-colored pills consisted essentially of calcium carbonate, iron oxid, a small amount of plant extractives, and sugar. The orange-colored pills consisted essentially of finely divided metallic iron, nuxvomica alkaloids, and calcium carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8828. Misbranding of Bick's Daisy 99. U. S. \* \* \* v. 5 Bottles of Bick's Daisy 99. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13643. I. S. No. 448-t. S. No. C-2458.)

On or about September 28, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 bottles of Bick's Daisy 99, remaining unsold in

the original unbroken packages at Gôtebo, Okla., alleging that the article had been shipped on or about September 28, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Bick's Daisy 99;" (bottle) "\* \* \* For Gonorrhoea, Gleet, Leucorrhoea and other Irritations or Infections of the Urinary tract: For Male Or Female \* \* \*;" (wrapper) "\* \* \* for Gonorrhoea Gleet Leucorrhoea Etc. For Male and Female \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of sodium acetate and buchu in alcohol and water. The presence of extractives of cascara was also indicated.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8829. Misbranding of Vagiseptic Discs. U. S. \* \* \* v. 5 Packages of Vagiseptic Discs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13304. I. S. No. 454-t. S. No. C-2459.)**

On or about September 28, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 packages of Vagiseptic Discs, remaining unsold in the original unbroken packages at Gotebo, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Vagiseptic Discs;" (wrapper) "\* \* \* \* for \* \* \* Amenorrhoea and other Uterine and Vaginal Disorders;" (circular) "\* \* \* \* for \* \* \* Amenorrhoea \* \* \* Ulceration of the Uterus and Catarrh of the Uterus \* \* \* gonorrhoea \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the discs consisted essentially of sodium chlorid, a small amount of alum, sugar, starch, and talc.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8830. Misbranding of Bick's Nerve Tonic. U. S. \* \* \* v. 4 Packages and 11 Packages of Bick's Nerve Tonic. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13638, 13639. I. S. Nos. 441-t, 453-t. S. Nos. C-2470, C-2471.)

On or about September 28, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 packages and 11 packages of Bick's Nerve Tonic, remaining unsold in the original unbroken packages at Gotebo and Erich, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding under the Food and Drugs Act, as amended. The article in the Gotebo shipment was labeled in part, " \* \* \* Nerve Tonic \* \* \* one of the best \* \* \* treatments known for those nervous run-down conditions which cause so much mental worry \* \* \* For the treatment of weak and irritated conditions of the nervous system \* \* \* manifested \* \* \* as poor appetite, feeling of weakness, despondency, lack of iron in the system of both sexes and lack of energy," and in the Erich shipment in part, " \* \* \* Nerve Tonic \* \* \* for Nervous Prostration and bodily aches and pains \* \* \* of nerve \* \* \* tonic for all female complaints \* \* \* for Weakness, Nervousness, Headaches, Kidney Trouble, and loss of Power in either Sex \* \* \* for female weakness, heart trouble, and where a general breakdown of the nervous system exists \* \* \*."

Analysis of a sample by the Bureau of Chemistry of this department showed that the article consisted of two preparations, brown tablets and yellow pellets. The tablets consisted essentially of salts of zinc and iron, phosphorus, and phosphates, and the pellets consisted essentially of iron phosphate and strychnine.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BAIL, *Acting Secretary of Agriculture.*

**8831. Adulteration and misbranding of Big G. U. S. \* \* \* v. 10 Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10646. I. S. No. 16559-r. S. No. E-1566.)

On or about June 23, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen bottles of Big G, at Jacksonville, Fla., consigned by the Evans Chemical Co., Cincinnati, Ohio, alleging that the article had been shipped on or about May 5, 1919, and transported from the State of Ohio into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine. No hydrastine was present.

It was alleged in substance in the libel that the strength and purity of the article fell below the professed standard and quality under which it was sold.

It was further alleged that the article was misbranded in that the label on the cartons contained the statement "A compound of Borated Goldenseal," whereas it contained no borated goldenseal. Misbranding was alleged in substance for the further reason that the cartons and bottles and booklets accompanying said bottles contained statements regarding the curative and therapeutic effects of the article, to wit, (carton) "A compound of Borated Goldenseal. A remedy for Catarrh, Hay Fever and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs," (bottle) "A Non-poisonous Tonic \* \* \* A Treatment for Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear," (booklet) "Catarrh \* \* \* Chronic, of the Head \* \* \* Hay Fever \* \* \* Inflammation of the Eye \* \* \* Cystitis \* \* \* Gastritis—Catarrh of the Stomach \* \* \* Haemorrhoids—Piles \* \* \* Throat Troubles \* \* \* Gonorrhœa \* \* \* Gleet, Chronic Gonorrhœa, Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis \* \* \* Spermatorrhœa \* \* \* Bubo \* \* \* Gonorrhœal Cystitis \* \* \*

As a preventative \* \* \* Leucorrhœa—Whites—Catarrh of the Vagina \* \* \* Gonorrhœa in Women," and certain other venereal diseases, which were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On January 6, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the goods.

E. D. BALL, *Acting Secretary of Agriculture.*

**8832. Adulteration and misbranding of olive oil, U. S. \* \* \* v. John Zeppos, Nicholas Antonio, and Anthony Antonio (Alpha Importing Co.). Plea of guilty. Fine, \$50. (F. & D. No. 12463. I. S. Nos. 14218-r, 14219-r, 14220-r, 14221-r.)**

On October 22, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Zeppos, Nicholas Antonio, and Anthony Antonio (Alpha Importing Co.), New York, N. Y., alleging shipment by said defendants, on or about May 19, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of New Jersey, of quantities of olive oil which was adulterated and misbranded. The article was labeled in part: "Finest Quality Olive Oil Extra pure (design, olive tree and peasants, in native costume, picking olives) of Termini Imerese Italy Sicilia-Italia  $\frac{1}{2}$  Gallon Net;" "Olio di Oliva Puro (design, olive tree, with peasants, in native costume, picking olives) Trade—Imported—Mark Pure Olive Oil Tortosa Brand Net Contents Half Gallon;" "Cotton seed Oil Flavored with INHEION EAAOIN (translated, Olive-Oil) (design, Hermes and olive branches) KAAAMQN (Kalamon) Net contents full quarter gallon;" and "Olive Oil Compounded with Cottonseed Oil Extra Quality (design, woman holding an olive branch bearing olives)  $\frac{1}{4}$  Gallon Net."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: The average measure of 12 cans of the Finest Quality Olive Oil was 0.117 gallon, that of 6 cans of the Olio di Oliva Puro, 0.479 gallon, that of 12 cans of the product bearing the Greek label, 0.241 gallon, and that of 6 cans of the Olive Oil Compounded with Cottonseed Oil,

0.242 gallon; the second and third brands contained cottonseed oil, and the fourth consisted essentially of cottonseed oil.

Adulteration of the Olio di Oliva and Olive Oil Compounded with Cottonseed Oil was alleged in the information for the reason that cottonseed oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the Finest Quality Olive Oil Extra Pure was alleged in the information for the reason that the statement " $\frac{1}{2}$  Gallon Net," borne on the label, was false and misleading and [the article was] labeled so as to deceive and mislead the purchaser, in that the can did not contain  $\frac{1}{2}$  gallon net.

With respect to the Olio di Oliva, misbranding was alleged for the reason that the statements, "Olio di Oliva Puro," "Imported Pure Olive Oil," and "Net Contents Half Gallon," borne on the cans, were false and misleading and [the article was] labeled so as to deceive and mislead the purchaser, in that the article was not a foreign product and was not a pure olive oil and did not contain  $\frac{1}{2}$  gallon net contents, but that the article was a domestic product, and was a mixture composed in part of cottonseed oil, and each of said cans did contain less than  $\frac{1}{2}$  gallon net of the article. Misbranding was alleged for the further reason that it was a mixture composed of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, pure olive oil.

Misbranding of the article labeled ΓΝΗΘΙΟΝ ΕΛΑΙΟΝ was alleged in the information for the reason that the above labeling, together with the design and devices of Greek flags, the figure of Hermes, and olive branches bearing olives, not corrected by the statement in inconspicuous type, "Cottonseed oil flavored with," borne on the cans containing the article, were false and misleading, and [the article was] labeled so as to deceive and mislead the purchaser into the belief that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Greece, and that said cans contained one full quarter gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in part of cottonseed oil, and said article was not a foreign product, but was a domestic product, and each of said cans did not contain one full quarter gallon of the article, but did contain a less amount. Misbranding was alleged for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, olive oil.

Misbranding of the Olive Oil Compounded with Cottonseed Oil was alleged for the reason that the statement in large type "Olive Oil," together with the design and device of an olive branch bearing olives, not corrected by the statement inconspicuously displayed, "Compounded with Cottonseed Oil," and the statement " $\frac{1}{4}$  Gallon Net," borne on the cans, were false and misleading and [the article was] labeled so as to deceive and mislead the purchaser into the belief that said article was olive oil, and that each of said cans contained  $\frac{1}{4}$  gallon net of the article, whereas said article was not olive oil, but was a mixture composed in part of cottonseed oil, and each of said cans did not contain  $\frac{1}{4}$  gallon net of the article.

Misbranding of each brand of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 3, 1920, the defendants entered a plea of guilty to the information, whereupon the court imposed a fine of \$50 and costs.

E. D. BALL, Acting Secretary of Agriculture.

**8833. Misbranding of Planten's Capsules. U. S. \* \* \* v. 7 Dozen 24-Capsule Cartons and 41 Dozen 12-Capsule Cartons of Planten's Capsules (Copaiba). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12551. I. S. Nos. 17085-r, 17086-r. S. No. E-2046.)**

On April 14, 1920, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen 24-capsule cartons and 41 dozen 12-capsule cartons of Planten's Capsules (copaiba), remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about December 6, 1919, by G. J. Fajardo, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: " \* \* \* Gonorrhea—its Nature and Causes. The disease generally known as gonorrhea \* \* \* stop suppuration with the proper treatment and by taking 'Planten's Capsules' \* \* \* the proper remedies (Planten's Capsules) \* \* \*. \* \* \* Chronic Blennorrhagia. Chronic blennorrhagia is the natural consequence of a neglected or badly cured attack of gonorrhea \* \* \* take the proper treatment with the use of Planten's Capsules. \* \* \* As soon as suppuration with the symptoms mentioned is noted, commence with Planten's Capsules, preferably \* \* \* copaiba \* \* \*. If these directions are scrupulously followed, under favorable conditions, a cure may be assured in most cases within one or two weeks. \* \* \* even after suppuration has ceased \* \* \* the medicine should not be abandoned immediately, be sure of a complete cure, and even after, you should take much care of your health as an attack immediately after having cured one \* \* \*. As a remedy it has been found most effective as a stimulant of all the mucous membranes, but particularly those related to the urinary organs, when they are not accompanied by acute inflammation. It is especially valuable in those cases that are still in their primary or incipient stages \* \* \*. Pure Copaiba Balsam \* \* \*. The best and most certain for the cure of chronic and acute gonorrhea, gleet, cystitis, catarrh and inflammation of the bladder, debility and all forms of urethritis \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of balsam of copaiba, and that the contents of the capsules contained in the 24-capsule packages averaged 10.7 minims, while the contents of those in the 12-capsule packages averaged 11.8 minims per capsule.

Misbranding was alleged in the libel for the reason that the statement "15 minims," borne on the label, was false and misleading since, in truth and in fact, each capsule contained less than that amount. Misbranding of the article was alleged for the further reason that the above-quoted statements in the booklet accompanying the article, regarding the curative and therapeutic effects thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 20, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8834. Adulteration of shell eggs. U. S. \* \* \* v. 175 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12555. I. S. No. 12593-r. S. No. E-2024.)**

On February 27, 1920, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 175 cases of shell eggs, remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped on or about February 14, 1920, by J. K. Lasher and Brother, New York, N. Y., and transported from the State of New York into the State of Rhode Island, and charging adulteration under the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On March 2, 1920, John K. Lasher and Brother, claimant, having filed an answer consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the cost of these proceedings and the execution of a bond in the sum of \$1,750, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8835. Adulteration and misbranding of gray shorts. U. S. \* \* \* v. 500 Sacks of Alleged Gray Shorts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12816. I. S. No. 114-r. S. No. E-2319.)**

On June 3, 1920, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of alleged gray shorts, remaining unsold in the original unbroken packages, at Brunswick, Ga., alleging that the article had been shipped on or about May 4, 1920, by the Gateway Milling Co., Kansas City, Mo., and transported from the State of Missouri into the State of Georgia, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Mfg. by Gateway Milling Co. Kansas City, Mo. Gray Shorts Red Dog Flour Pulverized Wheat Bran 100 lbs. Net. Guaranteed Analysis Protein, not less than 15.00%, Fat, not less than 3.50%, Crude Fibre, not more than 10.00%, Carbohydrates (Nitrogen free extract), not less than 52.50%."

Analysis of a sample of the product by the Bureau of Chemistry of this department show that it contained rice hulls, 3.34 per cent of fat, and 11.90 per cent of crude fiber.

Adulteration of the article was alleged in the libel for the reason that ground rice hulls had been mixed and packed with the article, and had been substituted wholly or in part therefor.

Misbranding of the article was alleged for the reason that the statements on the labels of the said sacks, "Gray Shorts \* \* \* Red Dog Flour \* \* \* Pulverized Wheat Bran \* \* \* Fat, not less than 3.50%. Crude Fibre, not more than 10.00%," were false and misleading and the article was labeled so as to deceive and mislead the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, gray shorts.

On August 23, 1920, the Gateway Milling Co., Kansas City, Mo., having filed an answer and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to

said claimant upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that the product be relabeled for reshipment to Kansas City, Mo.

E. D. BALL, *Acting Secretary of Agriculture.*

**8836. Misbranding of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. U. S. \* \* \* v. 23 Dozen Packages of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13293. I. S. No. 8615-t. S. No. E-2630.)**

On or about August 24, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 dozen packages of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped on or about May 12, 1920, by Robert J. Pierce, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box) " \* \* \* Tansy, Cotton Root Pennyroyal and Apiol Tablets. A safe emmenagogue. Always reliable and effective. The best known remedy for the suppression of the menstrual function;" (circular) " \* \* \* Tansy, Cotton Root. Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, oil of pennyroyal, and unidentified plant extractives.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8837. Misbranding of Kellogg's Sanitone Wafers. U. S. \* \* \* v. 112 Packages of Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13298. I. S. No. 7574-t. S. No. E-2577.)**

On August 24, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 112 packages of Kellogg's Sanitone Wafers, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article

had been shipped on or about May 5, 1919, from Battle Creek, Mich., by the F. J. Kellogg Co., and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Circular containing "The uses of Chromium Sulphate in Medicine") "We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article." (These are, among others, cystitis, prostatic enlargements, uterine fibroid tumors, herpes preputialis, cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, neurasthenia, locomotor ataxia, exophthalmic goiter, and locomotor ataxia) "Results from this salt" (chromium sulphate) "are speedy and striking. In \* \* \* neurasthenia it deserves the unique position of being the only drug which is curative \* \* \* Locomotor ataxia is curable with chromium sulphate \* \* \* Wafers have Chromium Sulphate for their chief ingredient."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of salts of iron and chromium, capsicum, a trace of strychnine, and a laxative plant drug.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 14, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8838. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 36 Packages, More or Less, of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13302. Inv. No. 9009. S. No. C-2374.)**

On or about September 1, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at Des Moines, Iowa, alleging that the article had been shipped on or about November 2, 1918, by the French Drug Co., New York, N. Y., and transported from the State of New York into the State of Iowa, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Female Pills \* \* \* for (suppression of the menses) Dysmenorrhœa (painful menstruation) and similar functional derangements;" (circular) "Female Pills \* \* \* For Disturbances of the Menstrual Functions \* \* For Amenorrhœa (suppression of the menses) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhœa (painful or scanty menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of white tablets composed essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing in the labeling, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 9, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8839. Misbranding of Arthur's Sextone Tablets. U. S. \* \* \* v. 4 Boxes of Arthur's Sextone Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13685. I. S. No. 439-t. S. No. C-2497.)**

On or about September 27, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes of Arthur's Sextone Tablets, remaining unsold in the original unbroken packages at Erick, Okla., alleging that the article had been shipped on or about January 15, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging adulteration under the Food and Drugs Act, as amended. The article was labeled in part: "Arthur's Sextone Tablets;" (wrapper) " \* \* \* Designed to Correct \* \* \* the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, Etc \* \* \* Sextone Tablets for either sex Composed of \* \* \* the Most Potent and Dependable Aphrodisiac Agencies \* \* \*;" (circular) " \* \* \* Sextone Tablets \* \* \* cases of exhaustion of nervous energy \* \* \* stimulate the Sexual Plexes \* \* \* nourish the nervous system and build it up \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills were composed essentially of iron and zinc salts, caffeine, unidentified plant extractives, and traces of phosphates.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements borne on the label, with respect to the curative and therapeutic effects of the article, were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On November 15, 1920, no claimant having appeared for the property, a default decree of condemnation, forfeiture, and destruction was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8840. Misbranding of Leonard Ear Oil. U. S. \* \* \* v. 13 Dozen Cartons of Leonard Ear Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11364. I. S. No. 3005-r. S. No. W-510.)**

On September 26, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 dozen cartons of Leonard Ear Oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., September 11, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of camphor, oil of eucalyptus, and a trace of alkaloidal material in mineral oil.

Misbranding of the article was alleged in substance in the libel for the reason that the therapeutic effects claimed for it on the cartons and labels and in the circulars enclosed in each of the cartons, as follows, (carton) "A Glandular \* \* \* Oil Recommended for Relief of Deafness, Head Noises, Discharging, Itching, Scaly Ears \* \* \* and Ear Ache \* \* \* Deafness, Head Noises and Ear Troubles," (label) "Leonard Ear Oil Recommended for Relief of Deafness, Head Noises, Dry, Itching, Aching and Discharging Ears," (circular, headed "Common Sense Care of the Hearing") "For relief of catarrhal deafness and head noises and other kinds of deafness and ear troubles \* \* \*," (circular containing testimonials) "Leonard Ear Oil Proof of Success A Glandular \* \* \* Oil for Relief of Deafness, Head Noises and for Relief of Discharging, Itching, Scaly Ears and Ear Ache \* \* \* has relieved the Deafness and Head Noises of more people than any known remedy," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 20, 1920, A. O. Leonard, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8841. Misbranding of D. D. D. U. S. \* \* \* v. 62 Dozen Bottles (30 Dozen Large Size and 20 Dozen Medium Size, Ordinary Strength, and 12 Dozen Large Size, Extra Strength) of D. D. D. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12250. I. S. Nos. 3310-r, 3311-r. S. No. W-580.)**

On February 27, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 62 bottles, composed of 30 dozen large size and 20 dozen medium size, ordinary strength, and 12 dozen large size, extra strength, of D. D. D., remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the D. D. D. Co., Chicago, Ill., on or about September 29, October 21, November 7, December 2, and December 29, 1919, respectively, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of phenol, chloral hydrate, salicylic acid, with small amounts of methyl salicylate and thymol in glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following therapeutic effects of said article were claimed and stated on the carton and bottle and in the accompanying circular and booklet, (ordinary strength) (carton) "D. D. D. Remedy for Eczema and Diseases of the Skin and Scalp, Psoriasis, Pimples, Tetter, Red Nose, Salt Rheum, Dandruff, Ivy Poison, Hives, Itching Piles \* \* \* Itch, Barber's Itch, Dermatitis, Herpes, Sycosis," (bottle) "D. D. D. Prescription for the Skin and Scalp," (circular) "To subdue Eczema and Skin Diseases \* \* \* Use D. D. D. The Lotion for Skin Disease," (booklet) "D. D. D. The Lotion for Skin Disease \* \* \* In nearly all instances D. D. D. gives relief at once \* \* \* D. D. D. is a treatment \* \* \* the most common form of skin diseases suc-

cessfully treated by D. D. D. Eczema (Salt Rheum, Tetter) \* \* \* Psoriasis \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Acne \* \* \* Dandruff \* \* \* Hives, Nettlerash \* \* \* Plant Poison," (extra strength) (carton) "D. D. D. Remedy for Eczema and Diseases of the skin \* \* \* prepared specially for cases of chronic dry eczema and psoriasis confined to the trunk of the body, arms and legs, which do not respond to treatment with D. D. D. Ordinary \* \* \*," (bottle) "D. D. D. Prescription for the Skin \* \* \* prepared especially for Chronic Dry Eczema and Psoriasis when confined to the trunk of the body, arms and legs \* \* \*," (booklet) " \* \* \* Diseases cured by D. D. D. Eczema, Acne and Pimples, Dermatitis \* \* \* Herpes, Hives \* \* \* Poisonous Rashes, Itching Piles, Psoriasis, Dandruff and Affections of the Scalp, Barber's Itch and Sycosis, Salt Rheum and Tetter, Scabies, Lichen, Red Nose \* \* \* Itch of all kinds \* \* \* Eczema \* \* \* In Weeping Eczema \* \* \* In Dry Eczema \* \* \* In Infantile Eczema and Baby Rash \* \* \* Psoriasis \* \* \* D. D. D. has shown remarkable results in psoriasis cases \* \* \* Salt Rheum and Tetter \* \* \* Barber's Itch \* \* \* Sycosis \* \* \* Itching Piles (Eczema Ani) \* \* \* Dandruff or Any Disease of Scalp \* \* \* Acne \* \* \* In Hives, Nettle Rash, Poison Oak and Poison Ivy \* \* \*," which claims and statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8842. Adulteration of canned salmon. U. S. \* \* \* v. 3,000 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12680. Inv. Nos. 19391, 16695. S. No. E-2174.)**

On May 24, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3,000 cases of canned salmon, consigned on or about December 14, 16, and 17, 1919, alleging that the article had been shipped by the Valdez Packing Co., Anacortes, Wash., and transported from the State of Washington into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Alaska Pink Salmon \* \* \* Packed by Valdez Packing Company, Valdez, Alaska \* \* \* Distributed by G. Batcheller Hall Co., Seattle, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On August 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8843. Misbranding of Texas Wonder. U. S. \* \* \* v. 2 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12922. I. S. No. 9137-r. S. No. C-1976.)**

On June 17, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles of Hall's Texas Wonder, at Chicago, Ill.,

alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., June 3, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded in that certain statements regarding the curative or therapeutic effect thereof, to wit, (carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular) "Read Carefully. In cases of gravel and rheumatic troubles it should be taken every night in 25-drop doses until relieved," falsely and fraudulently represented that the article was effective as a remedy for the various diseases, ailments, and affections mentioned upon the aforesaid carton and in the circular, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS44. Adulteration and misbranding of concentrated sweetener. U. S. \* \* \* v. 1 Tin of Wood's Special Concentrated Sweetener 500. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13035. I. S. No. 3801-t. S. No. C-2036.)**

On July 16, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 tin, containing 5 pounds, of Wood's Concentrated Sweetener 500, remaining unsold in the original unbroken packages at Nevada, Iowa, alleging that the article had been shipped on or about July 3, 1920, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "Wood's Special Concentrated Sweetener 500-500 Soluble in Cold Water."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it was a mixture of sucrose, cornstarch, and saccharin.

Adulteration of the article was alleged in the libel for the reason that it contained an added deleterious ingredient, to wit, saccharin, which might render it injurious to health, and for the reason that a mixture of sucrose, cornstarch, and saccharin had been mixed and packed with, and substituted wholly or in part for, food sweetener, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 9, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS45. Adulteration and misbranding of egg powder. U. S. \* \* \* v. 3 Barrels of Egg Powder. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13113. I. S. No. 10226-t. S. No. W-638.)**

On August 13, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court

of the United States for said district a libel for the seizure and condemnation of 3 barrels of egg powder, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about December 23, 1919, January 24, 1920, and February 5, 1920, by the Joe Lowe Co., Los Angeles, Calif., and transported from the State of California into the State of Colorado, and charging adulteration and misbranding under the Food and Drugs Act. The product was invoiced, "Hygrade Whole Egg Powder."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted very largely of dried egg yolks.

Adulteration of the article was alleged in the libel for the reason that it contained a mixture of dried egg yolks, and that dried egg yolks had been mixed and packed with, and substituted in part for, dried whole egg powder.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, dried whole egg powder.

On October 8, 1920, the Joe Lowe Co., claimant, having filed an answer admitting the allegations of the libel, a consent decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a satisfactory bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8846. Misbranding of Dr. Burkhardt's Vegetable Compound. U. S. \* \* \* v. 24 Dozen Packages and 15 Dozen Packages of Dr. Burkhardt's Vegetable Compound. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13118, 13119. I. S. Nos. 4109-t, 4110-t. S. Nos. C-2053, C-2056.)

On July 28, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 dozen packages and 15 dozen packages of Dr. Burkhardt's Vegetable Compound, at Chicago, Ill., alleging that the article had been shipped by Dr. W. S. Burkhardt, Cincinnati, Ohio, July 12 and 13, 1920, respectively, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, plant extractives, resins (probably from podophyllum), and capsicum.

It was alleged in substance in the libels that the article was misbranded in that certain statements, regarding the curative or therapeutic effects thereof, to wit, (carton) "Recommended for Kidney and Liver Diseases, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, \* \* \* and all Syphilitic Diseases," falsely and fraudulently represented it to be effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the carton aforesaid, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8847. Misbranding of Dr. Burkhart's Vegetable Compound. U. S. \* \* \* v. 116 Packages and 110 Packages of Dr. Burkhart's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13120, 13121. I. S. Nos. 10178-t, 10179-t, 10180-t, 10181-t. S. Nos. W-637, W-639.)

On August 10, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 116 packages and 110 packages of Dr. Burkhart's Vegetable Compound, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 11, 1918, July 26, 1919, February 24, 1920, June 1, 1920, and June 23, 1920, by Dr. W. S. Burkhart, Cincinnati, Ohio, and transported from the State of Ohio into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Dr. Burkhart's Vegetable Compound Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, Constipation and all Syphilitic Diseases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, plant extractives, resins (probably from podophyllum), and capsicum.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, borne on the package, were false and fraudulent as to the curative and therapeutic effects of the article, said statements being false and fraudulent in that the said drugs contained no ingredient or combination of ingredients capable of producing the effects claimed, and that said drugs were not a remedy for, and had no curative or beneficial effects whatsoever upon, any of the diseases mentioned.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8848. Misbranding of Wendell's Ambition Brand Pills. U. S. \* \* \* v. 56 Packages, 24 Packages, and 48 Packages of Wendell's Ambition Brand Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13463, 13464, 13693. Inv. Nos. 26624, 18472, 23909. S. Nos. C-2463, C-2464, C-2508.)

On or about September 9, and September 16, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 56 packages, 24 packages, and 48 packages of Wendell's Ambition Brand Pills, at Chicago, Ill., alleging that the article had been shipped by the Wendell Pharmacal Co., Inc., Syracuse, N. Y., April 14, May 8, and August 18, 1920, respectively, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of alkaloids of nux vomica, quinine, and aloin.

It was alleged in substance in the libels that the article was misbranded in that certain statements, regarding the curative or therapeutic effect thereof,

(package) " \* \* \* Pills Ambition Brand Beneficial in the Treatment of \* \* \* Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion \* \* \* affections of the nervous system," falsely and fraudulently represented it to be effective as a remedy for the various diseases, ailments, and afflictions mentioned upon each of the packages aforesaid, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8849. Misbranding of American Hog Remedy and American Stock Tonic. U. S. \* \* \* v. 9 Packages of Hog Remedy and 21 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 5 Packages of Hog Remedy and 22 Packages of Stock Tonic, 11 Packages of Hog Remedy and 23 Packages of Stock Tonic, 11 Packages of Hog Remedy and 23 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic. Default decrees of condemnation, forfeiture, and destruction. (F & D. Nos. 13017, 13579, 13611, 13612, 13613, 13614, 13659, 13721, 13722. I. S. Nos. 9924-r, 9925-r. Inv. Nos. 26637, 26638. I. S. Nos. 401-t, 402-t, 404-t, 405-t, 406-t, 407-t. Inv. Nos. 26514, 26515, 26520, 26521. S. Nos. C-2015, C-2016, C-2384, C-2385, C-2446, C-2447, C-2448, C-2449, C-2450, C-2451, C-2452, C-2453, C-2483, C-2484, C-2524, C-2525.)

On July 16, and on or about September 8, September 10, September 13, September 14, and September 28, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of American Hog Remedy and American Stock Tonic, at Elgin, McHenry, North Chicago, Libertyville, Highwood, Mount Prospect, Huntley, and Hartland, Ill., respectively, alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, between December 23, 1919, and July 29, 1920, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the hog remedy consisted largely of charcoal, peanut shells, salt, and ferrous sulphate, with small amounts of sulphur, Epsom salts, iron oxid, American wormseed, nux vomica, and quassia, and that the stock tonic consisted of the same ingredients, except Epsom salts and iron oxid, together with a small amount of brown mustard.

It was alleged in substance in the libels that the articles were misbranded for the reason that certain statements regarding the curative and therapeutic effects thereof, to wit, (hog remedy) (carton) "A concentrated remedy for swine recommended especially for hogs. Purifies the blood. \* \* \* Do not be deceived. Hogs require entirely distinct compounds from other domestic animals. It is absurd to believe that ordinary stock remedies will cure and prevent hog cholera. \* \* \* The required dose for a hog of any scientific compound containing the ingredients required to cure and prevent contagion among swine \* \* \*. Directions: For Hog Cholera, as soon as you notice that hog cholera has begun on your herd \* \* \* give from two to three tablespoonfuls of American Hog Remedy \* \* \* If already diseased increase at once to three or even four tablespoonfuls," (stock tonic) (carton) "A valuable remedy for the treatment of diseases peculiar to horses, cattle, sheep and hogs, such as

coughs \* \* \* lung fever, \* \* \* founder \* \* \* diseases of the stomach, kidneys, and urinary organs, and all diseases arising from impure blood \* \* \* begin using American Stock Tonic during the early stages of any disease. Follow directions carefully, and you will seldom have to call a veterinary \* \* \* Keep this product at hand and you can feel reasonably certain that you will not lose any of your live stock from disease. Directions \* \* \* For hogs, give a tablespoonful of American Stock Tonic with feed or slops twice per day for each hog. This will prevent disease. \* \* \* For hog cholera, \* \* \* for worms, \* \* \* for heaves in horses \* \* \*," falsely and fraudulently represented that the articles were effective as remedies for the various diseases, ailments, and afflictions mentioned upon said cartons, whereas, in truth and in fact, they were not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8850. Adulteration and misbranding of peanut feed. U. S. \* \* \* v. 200 Sacks, 300 Sacks, 200 Sacks, and 200 Sacks of Peanut Feed. Judgment entered by agreement ordering release of product under bond. (F. & D. Nos. 582-c, 583-c, 584-c, 585-c.)**

On June 3, 1920, the United States attorney for the Southern District of Florida, acting upon a report by an inspector of the State of Florida, filed in the District Court of the United States for said district libels for the seizure and condemnation of 200 sacks, 300 sacks, 200 sacks, and 200 sacks, respectively, of peanut feed, at Tampa, Fla., consigned by the Camilla Cotton Oil & Fertilizer Co., Camilla, Ga., alleging that the article had been shipped on or about April 23, 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Manufactured by Camilla Cotton Oil Co., Camilla, Ga."

Adulteration of the article was alleged in the libels for the reason that peanut hulls had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that certain statements appearing in the labeling of the article, to wit, "Protein and fat 30 per cent, sugar and starch 22.00 per cent, fibre 27.00 per cent," were false and misleading and deceived and misled the purchasers, since it contained less protein and fat, less sugar and starch, and more fibre than declared.

On July 20, 1920, the cases having come on for final disposition, and the Cumberland Liberty Mills Co., Consolidated Grocery Co., E. E. Freeman Co., and R. E. Householder, all of Tampa, Fla., claimants, respectively, for the property, having paid the costs of the proceedings and filed bonds in conformity with section 10 of the act, it was ordered by the court that the product be released to said claimants.

E. D. BALL, *Acting Secretary of Agriculture.*



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Fajardo, G. J-----	8833	Kerr Chemical Co-----	8801
Chase's, Dr., nerve pills :		Martel's, Dr., female pills :	
Chase, Dr. A. W., Medicine		French Drug Co-----	8807, 8838
Co-----	8806	McConnon's stock tonic :	
Cottonseed cake. <i>See</i> Feed.		McConnon & Co-----	8819
feed. <i>See</i> Feed.		Nerve pills :	
meal. <i>See</i> Feed.		Chase, Dr. A. W., Medicine	
screenings. <i>See</i> Feed.		Co-----	8806
Cough sirup. <i>See</i> Sirup.		tonic :	
D. D. D. :		Palestine Drug Co-----	8830
D. D. D. Co-----	8841	Oil, ear :	
Dean, Madame, female pills :		Leonard, A. O-----	8840
Rudy, Martin-----	8808	olive :	
Dises, vagiseptic :		Alpha Importing Co-----	8832
Palestine Drug Co-----	8829	Ointment, Gray's :	
Ear oil. <i>See</i> Oil.		Gray, W. F., & Co-----	8821
Egg powder :		Olive oil. <i>See</i> Oil.	
Lowe, Joe, Co-----	8845	Orange squeeze :	
Eggs :		National Fruit Flavor Co--	8826
Lasher, J. K., & Bro-----	8834	Palmo tablets :	
Empress Brand tablets :		McCullough Drug Co-----	8809
Pierce, Robert J-----	8836	Peanut feed. <i>See</i> Feed.	
Extract, lemon :		Pierce's, Robert J., tablets :	
Okay Extract Co-----	8810	Pierce, Robert J-----	8836
Feed, cottonseed :		Pills, ambition brand :	
Lyle & Lyle-----	8825	Wendell Pharmacal Co-----	8848
cottonseed cake :		female :	
Phoenix Cotton Oil Co---	8823	French Drug Co-----	8807, 8838
cottonseed meal :		Rudy, Martin-----	8808
Forest City Oil Co-----	8822	nerve :	
Phoenix Cotton Oil Co---	8823	Chase, Dr. A. W., Medicine	
cottonseed screenings :		Co-----	8806
Phoenix Cotton Oil Co---	8823	Sextone :	
gray shorts :		Palestine Drug Co-----	8827, 8839
Gateway Milling Co-----	8835	Planten's capsules :	
peanut :		Fajardo, G. J-----	8833
Camilla Cotton Oil & Fer-		Poppy seed :	
tilizer Co-----	8804, 8850	Gross, Ignatius-----	8817

	N. J. No.		N. J. No.
Salmon. <i>See</i> Fish.		Tablets, tansy, cotton root, penny-royal, and apiol:	
Sanitone wafers:		Pierce, Robert J.-----	8836
Kellogg, F. J., Co.-----	8837	Palmo:	
Savatan:		McCullough Drug Co.-----	8809
Pfeiffer, S., Mfg. Co.-----	8805	Sextone:	
Sextone pills. <i>See</i> Pills.		Palestine Drug Co.-----	8839
tablets. <i>See</i> Tablets.		Tansy, cotton root, pennyroyal, and	
Sirof D'Anis:		apiol tablets. <i>See</i> Tablets.	
Gauvin, J. A. E. 8811, 8813, 8815		Texas Wonder:	
Sirup, anise:		Hall, E. W.-----	8818, 8824, 8843
Gauvin, J. A. E. 8811, 8813, 8815		Vagiseptic discs:	
cough:		Palestine Drug Co.-----	8829
Gauvin, J. A. E.-----	8802,	Vegetable compound:	
8811, 8812, 8814, 8816		Burkhart, Dr. W. S.---	8846, 8847
Stock tonic:		Wendell's Ambition Brand pills:	
American Remedy Co.-----	8849	Wendell Pharmacal Co.-----	8848
McConnon & Co.-----	8819	Wood's concentrated sweetener:	
Sweetener, concentrated:		Wood, W. B., Mfg. Co.-----	8844
Wood, W. B., Mfg. Co.-----	8844		

# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8851-8900.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8851. Misbranding of Dr. King's Liver and Kidney Alternative and Blood Tonic. U. S. \* \* \* v. Charles A. Ritchey (King Medicine Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9786. I. S. No. 12047-p.)**

On December 31, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles A. Ritchey, trading as the King Medicine Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 6, 1918, from the State of Illinois into the State of Louisiana, of a quantity of Dr. King's Liver and Kidney Alternative and Blood Tonic which was misbranded. The article was labeled in part, "Manufactured by King Medicine Co., 3757 Sheffield Avenue, Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dark colored aqueous solution containing essentially magnesium sulphate with a small amount of plant material and salicylic acid.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label, falsely and fraudulently represented it to be effective as a liver and kidney alternative and blood tonic, to act on the liver, kidneys, and blood, to renovate and enrich the blood, to have a specific action on the liver [and] kidneys, to invigorate weak and debilitated liver and kidneys, as a relief for indigestion and as a treatment, remedy, and cure for indigestion, and for rheumatism that comes from impure blood and a run-down system, when, in truth and in fact, it was not.

On March 23, 1920, the defendant entered a plea of not guilty to the information. On December 15, 1920, the defendant withdrew the plea of not guilty and entered a plea of guilty, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8852. Adulteration and misbranding of Orange Jooj. U. S. \* \* \* v. The Orange Julep Co., alias Orange Smile Sirup Co., a Corporation. Plea of nolo contendere. Fine, \$200 and costs. (F. & D. No. 11207. I. S. Nos. 6129-r, 6142-r, 6237-r, 6687-r.)**

On April 21, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Orange Julep Co., alias Orange Smile Sirup Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 7, 1918, and November 4, 1918, from the State of Missouri into the State of Louisiana, and on or about November 27, 1918, from the State of Missouri into the States of Tennessee and Illinois, respectively, of quantities of Orange Jooj, which was adulterated and misbranded. The article was labeled in part, "Sirup Manufactured by The Orange Julep Co., St. Louis, Mo."

Analyses of samples by the Bureau of Chemistry of this department showed that the article in the Louisiana shipments was an artificially colored, orange-flavored, cane sugar and commercial glucose sirup preserved with salicylic and benzoic acids and containing little or no orange juice, and that the article in the Tennessee and Illinois shipments was an artificially colored, orange-flavored, cane sugar sirup, containing little or no orange juice.

Adulteration of the article was alleged in the information for the reason that substances composed principally, in the Louisiana shipments, of sugar, glucose, water, salicylic acid, benzoic acid, and artificial coloring matter, and in the Tennessee and Illinois shipments, of sugar, water, benzoic acid, and artificial coloring matter, had been substituted for orange juice sirup, which the article purported to be, and for the further reason that it had been colored in a manner whereby inferiority was concealed. Adulteration of the article in the Louisiana shipments was alleged for the further reason that it contained an added deleterious ingredient which might have rendered it injurious to health.

Misbranding was alleged for the reason that the following statements appearing on the said label, to wit, "Orange Julep Sirup," "Orange Julep," "Johnstone's Orange Jooj," "Juleped Oranges," "It's Cloudy," "That's the Fruit," "Jooj," and "Abbreviation of Johnstone's Original Orange Julep," together with the device of oranges and orange branches on the label, were false and misleading in that they represented to purchasers that the article was an orange juice sirup and was made of oranges, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article was an orange juice sirup and was made of oranges, whereas, in fact and in truth, it was not an orange juice sirup and was not made of oranges, but was a substance consisting principally, in the case of the Louisiana shipments, of cane sugar, glucose, water, artificial coloring, salicylic and benzoic acids, flavored with orange flavoring, and in the case of the remaining shipments, of cane sugar, water, artificial coloring, and benzoic acid, flavored with orange flavoring, and containing little, if any, orange.

On November 12, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8853. Misbranding of Valesco. U. S. \* \* \* v. 41 Bottles, 9 Bottles, and 36 Bottles of Valesco. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11517, 11655, 11850. I. S. Nos. 7219-r, 8546-r, 9126-r. S. Nos. C-1597, C-1620, C-1663.)**

On November 21, December 6, and December 30, 1919, respectively, the United States attorney for the Southern District of Iowa, acting upon a report by the

Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of an article of drugs, labeled in part "Valesco," at Des Moines, Iowa, alleging that the article had been shipped by the Alhosan Chemical Co., on October 24, 1918, and on or about November 14 and November 28, 1919, respectively, and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution containing sodium hypophosphite, creosote, and sugar.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing on the bottle label, regarding the therapeutic effects thereof, to wit, (consignment of October 24) "\* \* \* Tuberculosis, Asthma \* \* \* Pneumonia, and all Pulmonary Disorders \* \* \*". Under no circumstances should it be discontinued until recovery is complete," (remaining consignments) "\* \* \* For the Treatment of Tuberculosis, Asthma \* \* \* Pneumonia and Pulmonary Affections. \* \* \* Dosage Tuberculosis, Asthma \* \* \* dose first week. Pneumonia \* \* \* as gravity of case demands \* \* \*," were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8854. Adulteration and misbranding of spaghetti. U. S. \* \* \* v. 435 Cases of Spaghetti. Consent decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 12243. I. S. No. 14124-r. S. No. E-2028.)

On March 10, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 435 cases of spaghetti, remaining unsold in the original unbroken packages, at New York, N. Y., alleging that the article had been shipped by the Skinner Mfg. Co., Omaha, Nebr., on or about December 30, 1919, and transported from the State of Nebraska into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Pilgrim Brand Spaghetti Made by The Skinner Mfg. Co., Omaha, U. S. A."

Adulteration of the article was alleged in the libel for the reason that flour spaghetti, artificially colored with saffron, had been substituted in part therefor, and for the further reason that the article had been colored with saffron in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement on the label on the packages containing the article, to wit, "Spaghetti," was false and misleading and deceived and misled the purchaser when applied to a product made from flour artificially colored, and for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article, to wit, spaghetti.

On December 16, 1920, William P. Adams, sales manager for the Skinner Mfg. Co., Omaha, Nebr., claimant, having admitted the allegations of the libel except as to added coloring matter and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that

the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the product be relabeled as "Flour Spaghetti," under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS55. Adulteration and misbranding of gelatin. U. S. \* \* \* v. W. B. Wood. Plea of nolo contendere. Plea of \$25 on each of counts 1, 2, 3, 5, 6, 7, and 8, a total of \$175 and costs. Count 4 dismissed. (F. & D. No. 12331. I. S. Nos. 6076-r, 6961-r, 7826-r, 7827-r.)**

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 8 counts against W. B. Wood, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 2, 1918, from the State of Missouri into the State of Arkansas, on or about September 27, 1918, from the State of Missouri into the State of Oklahoma, and on or about April 1, 1919, and April 16, 1919, respectively, from the State of Missouri into the State of Minnesota, of quantities of gelatin which was adulterated and misbranded. The Arkansas and Oklahoma consignments were unlabeled. The Minnesota consignments were labeled in part, "Pure Food Gelatine" and "Gelatine," respectively.

Analyses of samples of the article taken from all consignments by the Bureau of Chemistry of this department showed the presence of glue and excessive quantities of zinc in each instance, and in the Minnesota shipment of April 16, also excessive quantities of copper.

Adulteration of the article was alleged in the information for the reason that it contained a certain poisonous and deleterious ingredient, to wit, zinc, and in the case of the Minnesota consignment of April 16, zinc and copper, which might render the article injurious to health. Adulteration was alleged for the further reason that zinc and glue, and in the Minnesota shipment of April 16, zinc, glue, and copper, had been substituted for gelatin, and had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength.

Misbranding was alleged in the case of all consignments for the reason that the article was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, gelatin. Misbranding was alleged with respect to the 2 Minnesota consignments for the further reason that the statements on the labels, "Pure Food Gelatine" and "Gelatine," respectively, were false and misleading in that they represented that the article was pure food gelatin or gelatin, as the case might be, and for the further reason that it was labeled so as to deceive and mislead the purchaser into the belief that it was pure food gelatin or gelatin, whereas, in truth and in fact, it was not.

On November 6, 1920, the fourth count of the information, alleging misbranding of the shipment to Oklahoma, having been dismissed, the court imposed a fine of \$25 and costs on each of the 7 remaining counts, an aggregate fine of \$175 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS56. Adulteration of compound black pepper. U. S. \* \* \* v. Hanley & Kinsella Coffee and Spice Co., a Corporation. Plea of nolo contendere to first count. Second count dismissed. Fine, \$25 and costs. (F. & D. No. 12359. I. S. No. 19232-r.)**

On September 14, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information in 2 counts against the Hanley & Kinsella Coffee and Spice Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 7, 1918, from the State of Missouri into the State of Georgia, of a quantity of compound black pepper which was adulterated. The article was labeled in part, "H. & K. Compound Black Pepper Hanley & Kinsella Coffee & Spice Co. St. Louis."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture of corn meal, black pepper, and a little capsicum.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, corn and capsicum, had been mixed therewith so as to lower, reduce, and injuriously affect its quality and strength, and for the further reason that certain substances, to wit, corn meal and capsicum, had been substituted in part for compound black pepper, which the article purported to be.

On November 6, 1920, the second count of the information, alleging misbranding, having been dismissed, a plea of *nolo contendere* to the first count, alleging adulteration, was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8857. Misbranding of Dr. Gunn's Blood and Nerve Tonic. U. S. \* \* \*  
v. 3 Dozen Packages of Dr. Gunn's Blood and Nerve Tonic. Default  
decree of condemnation, forfeiture, and destruction. (F. & D. No.  
13323. I. S. No. 10363-t. S. No. W-662.)**

On August 13, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 packages of Dr. Gunn's Blood and Nerve Tonic, remaining in the original unbroken packages at San Francisco, Calif., consigned November 4, 1919, alleging that the article had been shipped by the United Medicine Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets composed essentially of aloes, phosphorus, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part, on the wrapper and label and in the circular, as follows, (wrapper) "For Diseases of the Blood and Nerves Such as Dizziness, Despondency, General Debility and Weakness \* \* \* with little strength and vigor," (circular) "In cases where there is a weakness of the sexual organs take the tonic regularly \* \* \* women and girls \* \* \* for suppression of the monthly flow take the tablets regularly," (label) "For Diseases of the Blood and Nerves \* \* \* Dizziness, Despondency, General Debility, Weakness \* \* \* with little Strength and Vigor," which statements were false and fraudulent since the article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8858. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 2 Dozen Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13474. I. S. Nos. 8762-t, 8763-t. S. No. E-2551.)**

On August 24, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel for the seizure and condemnation of 2 dozen packages of Madame Dean Female Pills, at Washington, D. C., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about August 3, 1920, and transported from the State of Pennsylvania into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. One dozen packages of the article were labeled in part, "Madame Dean Female Pills (Special)" and 1 dozen, "Madame Dean Female Pills (Single)."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pink pills marked "Special" consisted essentially of aloes, ferrous sulphate, quinine, senecio flowers and herb. ginger, and cornstarch, and that the black pills marked "Single" consisted of aloes, ferrous sulphate, quinine, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel in that the labeling thereof contained, among others, the following statements, (box and wrapper) " \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet) " \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation and assist in reestablishing or restoring the menstrual or monthly periods \* \* \* strengthen and build up the uterine function," (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken \* \* \* to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again," which said statements were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effect claimed.

On October 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8859. Misbranding of Nerv-Mintz. U. S. \* \* \* v. 2½ Dozen, 10 Dozen, ½ Dozen, and 20 Dozen, More or Less, Packages of Nerv-Mintz. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13554, 13555, 13556, 13558. I. S. Nos. 7565-t, 7571-t, 7561-t, 7575-t. S. Nos. E-2590, E-2591, E-2594, E-2627.)**

On August 30, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district libels for the seizure and condemnation of 2½ dozen, 10 dozen, ½ dozen, and 20 dozen packages, more or less, of Nerv-Mintz, consigned by the Earle Chemical Co., Wheeling, W. Va., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 2, 1920, and transported from the State of West Virginia into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, aloin, and capsicum.

It was alleged in substance in the libels that the article was misbranded in that certain statements appearing on the label and in the circular were false and fraudulent for the reason that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof, as follows: (Box) "Nerv-Mintz Nerve and Energy Tablets especially a nerve strengthener \* \* \* soothe and quiet the nerves \* \* \* used for the relief of Nervousness, Loss of Vigor, Energy and Ambition—Lack of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted or Weakened Vitality, Mental Depression, Numbness, Weakening Habits \* \* \* and All Over-worked and Unstrung Nerves Induced by Fast Living and Other Excesses. \* \* \* Useful in the Treatment of Nervous Conditions which follow too Strenuous Living, Mental and Physical Fatigue, and other Excesses;" (circular) "Nerv-Mintz for nervous debility \* \* \* exceptionally efficient in the treatment of Nervousness, Loss of Vigor, Energy and Ambition, Lack of Confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened or Exhausted Vitality, Mental or Physical Depression, Weakening Habits \* \* \* and for all over-worked and unstrung nerves induced by fast living and other excesses. \* \* \* To all those who \* \* \* suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick \* \* \* Keep up the treatment."

On September 20, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8860. Adulteration of shell eggs. U. S. \* \* \* v. Center Supply Co., a Corporation. Plea of guilty. Fine, \$25.** (F. & D. No. 9660. I. S. No. 5652-r.)

On June 4, 1919, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Center Supply Co., a corporation, Center, N. Dak., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 2, 1918, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of 4 half cases of the article by the Bureau of Chemistry of this department showed the presence of 76. or approximately 10 per cent, inedible eggs, consisting of black rots, mixed or white rots, spot rots, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On or about December 3, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS61. Adulteration and misbranding of wintergreen oil, oil birch, and wintergreen leaf oil. U. S. \* \* \* v. Thomas J. Ray. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9721. I. S. Nos. 13601-r, 13604-r, 13606-r.)**

On July 19, 1919, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas J. Ray, Elk Park, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, from the State of North Carolina into the State of New York, on or about July 12, 1918, of a quantity of wintergreen oil, on or about July 18, 1918, of a quantity of oil birch, and on or about July 22, 1918, of a quantity of wintergreen leaf oil, which were adulterated and misbranded. The shipments of July 12 and July 18 were labeled in part, respectively, "Wintergreen Oil" and "Oil Birch," "From T. J. Ray, Elk Park, N. C." The shipment of July 22 was invoiced as wintergreen leaf oil.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained synthetic methyl salicylate.

Adulteration of the articles was alleged in the information for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to lower and reduce and injuriously affect the quality and strength thereof, and had been substituted in part for oil of wintergreen, oil of birch, or wintergreen leaf oil, as the case might be. Adulteration was alleged for the further reason that the articles were sold under and by names recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity for each, as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation, in that they consisted in part of synthetic methyl salicylate derived from a source other than wintergreen or from the bark of the sweet birch, as the case might be, whereas the said Pharmacopœia provided that oil of wintergreen or wintergreen leaf oil should be obtained from *Gaultheria procumbens*, and that oil of birch should consist exclusively of oil obtained from the bark of the sweet birch, and the standard of strength, quality, and purity of the articles was not declared on the containers thereof.

Misbranding of the articles was alleged for the reason that they were products composed in part of synthetic methyl salicylate prepared in imitation of wintergreen oil, wintergreen leaf oil, or birch oil, as the case might be, and were offered for sale and sold under the distinctive names of other articles. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Misbranding was alleged with respect to the consignments of alleged wintergreen oil and alleged oil birch for the reason that the statements, "Wintergreen Oil" and "Oil Birch," borne on the cans containing the articles, regarding them and the ingredients and substances contained therein, were false and misleading in that they represented that the articles consisted wholly of wintergreen oil or birch oil, as the case might be, and for the further reason that they

were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of wintergreen oil or birch oil, whereas, in truth and in fact, the articles did not so consist, but consisted in part of synthetic methyl salicylate.

On August 30, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8862. Adulteration and misbranding of birch oil and oil sassafras.**  
U. S. \* \* \* v. Millard G. Teaster. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10124. I. S. Nos. 13612-r, 13615-r.)

On July 22, 1919, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Millard G. Teaster, Elk Park, N. C., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of North Carolina into the State of New York, on or about August 29, 1918, of a quantity of an article purporting to be birch oil, and on or about September 7, 1918, of a quantity of an article purporting to be oil sassafras, which were adulterated and misbranded.

Analysis of a sample of the alleged birch oil by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate. The alleged oil sassafras contained imitation oil of sassafras, made from waste camphor oil.

Adulteration of the articles was alleged in the information for the reason that a substance, to wit, synthetic methyl salicylate, or a substance prepared from waste camphor oil, as the case might be, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and had been substituted in whole or in part for oil of birch or oil of sassafras, as the case might be, which the articles purported to be. Adulteration was alleged for the further reason that the articles were sold under and by names recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity for each, as determined by tests laid down in said Pharmacopœia, official at the time of the investigation, in that the alleged oil of birch consisted in part of synthetic methyl salicylate derived from a source other than the bark of sweet birch, and the alleged oil of sassafras consisted in part of waste camphor oil, whereas the said Pharmacopœia provided that oil of birch should consist exclusively of an oil derived from the bark of the sweet birch and that oil of sassafras should be obtained exclusively from *Sassafras variifolium*, and the standard of strength, quality, and purity of the articles was not declared on the containers thereof.

Misbranding of the articles was alleged for the reason that the statements, "Birch Oil" and "Oil Sassafras," borne on the cans containing the articles, regarding them and the ingredients and substances contained therein, were false and misleading in that they represented that the articles were birch oil or oil sassafras, as the case might be, and for the further reason that they were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were birch oil or oil sassafras, as the case might be, whereas, in truth and in fact, the articles were not birch oil or oil sassafras, but the alleged birch oil was a mixture composed in part of synthetic methyl salicylate, and the alleged oil sassafras consisted in part of waste camphor oil. Misbranding was alleged for the further reason that the articles were mixtures composed in part of synthetic methyl salicylate or waste camphor oil, as the case might be, and

were prepared in imitation of, and were offered for sale and sold under the distinctive names of, other articles, to wit, birch oil and oil sassafras.

On August 30, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8863. Adulteration of milk. U. S. \* \* \* v. Joseph H. Niebur. Plea of nolo contendere. Fine, \$75 and costs.** (F. & D. No. 10301. I. S. No. 10414-p.)

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against Joseph H. Niebur, Breese, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 28, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, " \* \* \* From Jos. H. Niebur, Station Breese, Ills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was very dirty.

Adulteration of the article was charged in the indictment for the reason that it consisted in part of a filthy animal substance.

On October 28, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8864. Adulteration of milk. U. S. \* \* \* v. John H. Schulte. Plea of nolo contendere. Fine, \$75 and costs.** (F. & D. No. 10302. I. S. No. 10405-p.)

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against John H. Schulte, Breese, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 28, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part: (Tag) " \* \* \* From J. H. Schulte, Breese, Ill., R. R. 2, Box 77."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was very dirty.

Adulteration of the article was charged in the indictment for the reason that it consisted in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8865. Adulteration of milk. U. S. \* \* \* v. Loudon & Co., a Corporation. Plea of nolo contendere. Fine, \$75 and costs.** (F. & D. No. 10336. I. S. No. 9379-p.)

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against Loudon & Co., a corporation, Loudon Station, Ill., charging

shipment by said company, in violation of the Food and Drugs Act, on September 29, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From Loudon and Co., Loudon Station, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was dirty.

Adulteration of the article was charged in the indictment for the reason that it consisted in whole or in part of a filthy animal substance.

On November 9, 1920, a plea of *nolo contendere* to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8866. Misbranding of Planten's C & C or Black Capsules. U. S. \* \* \* v. 20 Dozen Boxes of Planten's C & C or Black Capsules. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 19404. I. S. No. 2757-r. S. No. W-359.)**

On May 22, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 dozen boxes of Planten's C & C or Black Capsules, remaining in the original unbroken packages, at San Francisco, Calif., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., on January 20, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of copaiba and volatile oils, including oil of cinnamon.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part, (carton) "Planten's C & C or Black Capsules carefully prepared medicine of Compound Copaiba Balsam and Cubeb Oil, with carminatives and disinfectants \* \* \* from the laboratory of H. Planten & Son, Inc. Brooklyn, N. Y.," (circular) "Planten's C & C or Black Capsules \* \* \* For the treatment of diseases pertaining to The Kidneys, Bladder and Mucous Membranes," (booklet) "Directions and Hints for the use of Planten's C & C or Black Capsules \* \* \* Gonorrhœa \* \* \* Gleet 'Our Celebrated Specialty' Planten's C & C or Black Capsules \* \* \* in restoring a healthy condition of the mucous membranes of the Genito-Urinary Tract. Our Specialty \* \* \* for the treatment of Chronic and Acute Gonorrhœa, Gleet, Urethritis. \* \* \* On the first appearance of the discharge, we suggest you take 'Planten's C & C or Black Capsules' \* \* \* Remember that even after the discharge has stopped the inside lining or mucous membrane is very tender and the medicine should never be suddenly stopped, but continued for ten days to ensure thorough healing \* \* \*," and with additional statements in the circular and booklet, which statements were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On October 11, 1919, H. Planten & Son, Brooklyn, N. Y., having entered an appearance as claimant for the property, and the case having come on for final disposition, decree by consent was entered adjudging the product to be misbranded, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS67. Adulteration of milk. U. S. \* \* \* v. George C. Taylor. Plea of nolo contendere to counts 1 and 3. Counts 2 and 4 dismissed. Fine, \$50 and costs. (F. & D. No. 10455. I. S. Nos. 9719-p, 9724-p, 10452-p, 10457-p.)**

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 4 counts against George C. Taylor, Mulberry Grove, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, September 13, September 24, August 6, and August 9, 1917, respectively, from the State of Illinois into the State of Missouri, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was dirty, and that it contained added water.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be, and for the further reason that it consisted in whole or in part of a filthy animal substance.

On November 3, 1920, the defendant entered a plea of nolo contendere to counts 1 and 3 of the indictment, on shipments of September 13 and August 6, and the court imposed a fine of \$50 and costs. Counts 2 and 4, on shipments of September 24 and August 9, were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS68. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 2 Dozen and 8 Dozen Packages \* \* \* of Hooper's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13429, 13430. I. S. Nos. 8760-t, 8761-t, 8757-t. S. Nos. E-2541, E-2543.)**

On August 20, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels for the seizure and condemnation of 2 dozen packages and 8 dozen packages of Hooper's Female Pills, at Washington, D. C., alleging that a portion of the article had been shipped prior to January 1, 1919, and the remainder on or about May 11, 1920, by the Horace B. Taylor Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the District of Columbia, and that the same were being sold and offered for sale in the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Hooper's Female Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libels that the article was misbranded for the reason that the wrapper and circular included in each of the packages thereof contained the following statements relative to the curative and therapeutic effects of the articles and of the ingredients and substances contained therein, (wrapper) " \* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing Menstruation \* \* \* for the removal of Irregularities \* \* \* are used \* \* \* (except in cases of Pregnancy \* \* \*) Opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the Female Sex are subject to \* \* \* cleanse, purify, and cause a free circulation of the blood \* \* \*

open those obstructions which virgins are liable to—best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitations of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath, \* \* \* scurvy \* \* \* should be taken by all women at the age of forty-five \* \* \* to prevent those disorders that usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick or vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of courses \* \* \* continue their use until the end is answered \* \* \*," (circular) "Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing menstruation \* \* \* for the removal of irregularities \* \* \* are used \* \* \* except in cases of pregnancy," which said statements were false and fraudulent for the reason that said product contained no ingredients or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8869. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. \* \* \* v. 142 Packages of Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13500. I. S. No. 497-t. S. No. C-2349.)**

On August 23, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 142 packages of Dr. A. W. Chase's Nerve Pills, at Toledo, Ohio, alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., on or about April 20, 1920, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Builds up the System. Cures \* \* \* Nervous Prostration \* \* \* Nervous Headache, Female Trouble \* \* \* Heart Failure, Dizziness & Fainting, Sleeplessness and General Weakness;" (circular) "Hysteria, Hystero-epilepsy, Epilepsy, St. Vitus dance, Paralysis, Locomotor Ataxia, Insanity \* \* \* await \* \* \* the chance to enter. The Cure Is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking, the very essence of existence, the active principle of life—Nerve Force \* \* \* Sexual Wrecks \* \* \* in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures \* \* \* re-invigorates, by re-supplying the very essential of health, Nerve force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself and takes its place as capable as ever of carrying out its work \* \* \* Occasional Irregularity, or \* \* \* slight and fearfully painful menstruation \* \* \* the absence of a healthy flow \* \* \* a complete relaxation and loss of power upon the part of the uterine organs \* \* \* It is in such cases as these \* \* \* that \* \* \* Nerve Pills show their sterling qualities \* \* \* by re-supplying the element lacking, Nerve Force \* \* \* Sterility \* \* \* The \* \* \* use of \* \* \* Nerve Pills always results in an awakening and return of power to those organs \* \* \* Girlhood to Womanhood \* \* \* Nerve Pills \* \* \* By their ability to supply a world of nerve force and physical

energy, and to manufacture the richest quality of blood, makes the passage \* \* \* easy and safe \* \* \* Feeble little ones \* \* \* due to \* \* \* Diphtheria, Measles, Scarlet Fever, etc. \* \* \* Nothing could reach \* \* \* in a more rapid or happy manner than do \* \* \* Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating, \* \* \* a true tonic \* \* \* results once obtained are doubly certain and lasting \* \* \* This is the only medicine that cures by rebuilding, re-invigorating, and re-supplying what is lacking—good blood and nerve force.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of strychnine, arsenic, iron carbonate, manganese, and aloes.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing on the label and circular, regarding the curative and therapeutic effect thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS70. Misbranding of Dr. Hoffman's Celebrated Mixture. U. S. \* \* \* v. 2½ Dozen Bottles of Dr. Hoffman's Celebrated Mixture. Default decree entered ordering product destroyed. (F. & D. No. 10587. I. S. No. 16215-r. S. No. E-1532.)**

On June 18, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of Dr. Hoffman's Celebrated Mixture, at Jacksonville, Fla., consigned by Solomons Co., Savannah, Ga., alleging that the article had been shipped on or about February 14, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, “Dr. Hoffman's Celebrated Mixture for Gonorrhœa, Gleet, Etc. \* \* \* Prepared by Solomons Co., Druggists, Savannah, Georgia.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an alcoholic solution of copaiba and opium.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the labels of the cartons and bottles, regarding the curative and therapeutic effect thereof, to wit, “Dr. Hoffman's Celebrated Mixture for Gonorrhœa, Gleet, Etc.,” were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed. Misbranding was alleged for the further reason that the statements, “Guaranteed” and “Serial No. 4098,” appearing on the cartons containing the bottles, were false and misleading.

On January 6, 1921, no claimant having appeared for the property, a decree was entered by the court ordering the destruction of the product by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8871. Misbranding of Brou's Injection. U. S. \* \* \* v. 6½ Dozen Bottles of Brou's Injection. Default decree entered ordering destruction of product. (F. & D. No. 10616. I. S. No. 16510-r. S. No. E-1544.)**

On or about June 19, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6½ dozen bottles of Brou's Injection, at Jacksonville, Fla., consigned by E. Fougere & Co., Inc., New York, N. Y., alleging that the article had been shipped on or about October 5, 1917, and transported from the State of New York into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Brou's Injection E. Fougere & Co., New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, small amounts of opium and alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the label upon the bottles and in the booklet accompanying the bottles contained the following statements, regarding the curative and therapeutic effect thereof, to wit, "Hygienic and Preservative Brou's Injection \* \* \* (French) Against runnings or discharges 'Les Ecoulemens' recent or chronic and against 'White Flowers' Leucorrhœa, Blennorrhagia \* \* \* Blennorrhœa \* \* \* White Losses \* \* \* strictures, injections prevent them by curing their usual causes that is to say prolonged inflammation of the mucous membranes and its extension to underlying tissues \* \* \* Brou's Injection is not solely tonic and astringent but also isolating which explains its success in the treatment of blennorrhœa \* \* \* Brou's Injection, Hygienic and Preservative For the cure of all recent and chronic discharges of the urinary organs (Gonorrhœa, Leucorrhœa and Gleet) \* \* \* used as a preservative After intercourse with a suspected person use the injection \* \* \*," which were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On January 6, 1921, no claimant having appeared for the property, judgment was entered by the court ordering that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8872. Adulteration and misbranding of cottonseed cake. U. S. \* \* \* v. Lee County Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10881. I. S. Nos. 5927-r, 10865-r.)**

On January 27, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lee County Cotton Oil Co., a corporation, Giddings, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Kansas, on or about October 29, 1918, of a quantity of cottonseed cake which was misbranded, and on or about November 16, 1918, of a quantity of cottonseed cake which was adulterated and misbranded. The consignment of October 29, 1918, was labeled in part, "Protein not less than 41 per cent." The consignment of November 16, 1918, was invoiced as "41 per cent Cotton Seed Cake."

Analysis of a sample taken from each shipment of the article by the Bureau of Chemistry of this department showed that it contained 37 per cent and 39.15 per cent, respectively, of protein.

Adulteration of the article in the shipment of November 16 was alleged in the information for the reason that a substance, to wit, cottonseed cake low in protein, had been substituted in whole or in part for cottonseed cake containing 41 per cent of protein, which the article purported to be. Misbranding of this article was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Misbranding of the article in the shipment of October 29 was alleged for the reason that the statement, to wit, "Protein not less than 41 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 41 per cent of protein, whereas, in truth and in fact, it contained less than 41 per cent of protein.

On March 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS73. Misbranding of cottonseed cake. U. S. \* \* \* v. Russell-Coleman Oil Mill, a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 11129. I. S. No. 10853-r.)**

On November 16, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Russell-Coleman Oil Mill, a corporation, San Antonio, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 5, 1918, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part, "Ordinary Cotton Seed Cake Manufactured by Russell-Coleman Oil Mill, San Antonio, Texas."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 41.31 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement concerning the article and the constituents thereof, appearing on the label, to wit, "Protein not less than 43.00 per cent," was false and misleading in that it represented to purchasers thereof that the article contained not less than 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 43 per cent of protein, whereas, in fact and in truth, it contained less than 43 per cent of protein.

On February 4, 1920, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS74. Misbranding of rice bran. U. S. \* \* \* v. Beaumont Rice Mills, a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12484. I. S. No. 13282-r.)**

On August 3, 1920, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Beaumont Rice Mills, a corporation, Beaumont, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 2, July 4, July 10, and July 11, 1919, from the State of Texas into the State of New York, of quantities of rice bran which was misbranded. The article was

labeled in part, "143 lbs. Net Rice Bran Manufactured by Beaumont Rice Mills, Beaumont, Texas."

Examination of the article by the Bureau of Chemistry of this department showed the average net weight of 60 sacks to be 123.37 pounds, an average shortage from the declared weight of 13.73 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "143 lbs. Net," borne on the tags attached to the sacks containing the article, regarding the article, was false and misleading in that it represented that each of the sacks contained 143 pounds net thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said sacks contained 143 pounds net thereof, whereas, in truth and in fact, each of the sacks contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 17, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8875. Misbranding of Dr. J. H. Luff's Tendinol and Cough, Cold and Distemper Cure.** U. S. \* \* \* v. J. Homer Luff (Carter-Luff Chemical Co.). **Plea of guilty. Fine, \$1.** (F. & D. No. 12813. I. S. Nos. 14188-r, 14189-r.)

On December 6, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Homer Luff, trading as the Carter-Luff Chemical Co., Hudson, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 21, 1919, from the State of New York into the State of New Jersey, of quantities of Dr. J. H. Luff's Tendinol and Cough, Cold and Distemper Cure which were misbranded. The articles were labeled in part, respectively, "Dr. J. H. Luff's Tendinol \* \* \*" and "Dr. J. H. Luff's Cough," (design of horse) "Cold and Distemper Cure \* \* \* Prepared by J. H. Luff, D. V. S. Hudson, N. Y."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Tendinol consisted of a heavy mineral oil, a saponifiable oil, and 0.76 gram of sulphurous acid per 100 mils, and that the Cough, Cold and Distemper Cure consisted of sodium chlorid, magnesium carbonate, potassium nitrate, linseed meal, gentian, and asafetida.

Misbranding of the Tendinol was alleged in substance in the information for the reason that certain statements, designs, and devices, regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for spavins, splints, curbs, tumors, founder, and sweeny, and to remove abnormal growths, when, in truth and in fact, it was not. Misbranding of the Cough, Cold and Distemper Cure was alleged in substance for the reason that certain statements, designs, and devices, regarding the therapeutic and curative effects thereof, appearing on the packages, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for distemper, influenza, pinkeye, and lung fever, when, in truth and in fact, it was not.

On December 22, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS76. Adulteration of aloes and aletris. U. S. \* \* \* v. H. R. Lathrop & Co., a Corporation. Plea of guilty. Fine, \$2. (F. & D. No. 13171. I. S. Nos. 15946-r, 598-r.)**

On November 12, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. R. Lathrop & Co., a corporation, having a place of business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 1, 1919, and November 8, 1919, into the States of Georgia and Pennsylvania, respectively, of quantities of aloes and aletris which were adulterated. The articles were labeled, respectively, "10 Lbs. Powd. Soc-Aloes H. R. Lathrop & Co., Inc. 116 Beekman Street, New York City," and "Aletris Rt. Percentage of ash not determined H. R. Lathrop & Co."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the aloes contained 8.70 per cent of ash, and that the aletris contained 25.59 per cent of ash and 21.25 per cent of acid ash insoluble in hydrochloric acid.

Adulteration of the aloes was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation, in that said article yielded 8.7 per cent of ash, whereas said Pharmacopœia provided that socotrine aloes should yield not more than 4 per cent of ash. Adulteration of the aletris was alleged for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Formulary, official at the time of investigation, in that the article yielded approximately 26 per cent of ash, whereas said Formulary provided that aletris should yield not more than 16 per cent of ash.

On December 8, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$2.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS77. Misbranding of cottonseed meal. U. S. \* \* \* v. United Oil Mills, a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 13887. I. S. No. 9257-r.)**

On December 22, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Oil Mills, a corporation, Arkadelphia, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about February 11, 1920, from the State of Arkansas into the State of Illinois, of a quantity of cottonseed meal which was misbranded. The sacks containing the article were unlabeled.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 24, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8878. Adulteration of shell eggs. U. S. \* \* \* v. William A. Cathcart and Patrick H. Cathcart (Cathcart Bros.). Pleas of guilty. Fine, \$20 and costs. (F. & D. No. 13894. I. S. No. 8429-r.)**

On November 20, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William A. Cathcart and Patrick H. Cathcart, copartners, trading as Cathcart Bros., Springfield, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 14, 1919, from the State of Arkansas into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of 2 one-half cases by the Bureau of Chemistry of this department showed 126, or 35 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 2, 1920, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate sum of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8879. Adulteration of oysters. U. S. \* \* \* v. Enoch Barnes (Barnes Market). Plea of guilty. Fine, \$25. (F. & D. No. 13908. I. S. No. 16604-r.)**

On January 5, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Enoch Barnes, trading as Barnes Market, Washington, D. C., alleging that on February 7, 1920, the said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, a quantity of oysters which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the oysters had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be, and for the further reason that a valuable constituent of the article, to wit, oyster solids, had been wholly or in part abstracted.

On January 5, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8880. Misbranding of Penslar Sancop Pearls. U. S. \* \* \* v. 23 Dozen Cartons \* \* \* of Penslar Sancop Pearls. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11073. I. S. No. 2934-r. S. No. W-451.)**

On August 14, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 dozen cartons of drugs, labeled in part "Penslar Sancop Pearls," remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on December 13, 1918, and on January 16 and March 13, 1919, by the Peninsular Chemical Co., Detroit, Mich., and transported from the State of Michigan into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of a mixture of essential oils and resins, including oils of santal and cinnamon, and copaiba and gurgun balsams.

It was alleged in substance in the libel that the article was misbranded for the reason that each package of the same was labeled in part on the cartons, "Penslar Sancop Pearls for Chronic or Sub-acute Inflammation of the Mucous Membrane of the Urethra, Chronic Discharges from the Urinary Passages \* \* \* Peninsular Chemical Co.," and in part on the bottles, "Penslar Sancop Pearls \* \* \* for Chronic or Sub-acute Inflammation of the Urinary Passage, Chronic Discharges from the Urethra, etc. \* \* \*," whereas the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and the statements on said cartons and bottles were false and fraudulent.

On August 27, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8881. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 61, 78, 8 Dozen, 136, 135, 346, 5 Dozen, 75, 104, and 141 Packages of Hooper's Female Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13282, 13283, 13333, 13336, 13337, 13338, 13339, 13626, 13627. I. S. Nos. 6385-t, 7502-t, 6308-t, 7454-t, 6326-t, 6307-t, 7455-t, 6332-t, 6305-t, 6330-t, 6333-t, 6334-t, 6335-t, 6382-t, 6383-t, 6384-t. S. Nos. E-2513, E-2700, E-2701, E-2496, E-2497, E-2498, E-2499, E-2500, E-2501, E-2502, E-2503, E-2504, E-2624, E-2625.)

On September 1, August 18, August 20, and September 8, 1920, respectively, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of an article of drugs, labeled in part "Hooper's Female Pills," remaining unsold in the original unbroken packages, in part at Newburgh, N. Y., and in part at New York, N. Y., alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., between the dates of June 26, 1918, and August 11, 1920, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular and wrapper) " \* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an Emmenagogue in producing Menstruation \* \* \* for the removal of Irregularities \* \* \* are used \* \* \* (except in cases of Pregnancy \* \* \*);" (wrapper) " \* \* \* opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the female sex are subject to \* \* \* cleanse purify and cause a free circulation of the blood \* \* \* open those obstructions which virgins are liable to \* \* \* best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at the age of forty-five \* \* \* to prevent those disorders which usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, and vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of courses \* \* \* continue their use until the end is answered \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in the libels for the reason that the statements appearing on the box labels and wrappers and in the circulars and booklets, as hereinbefore set forth, regarding the curative and therapeutic effect thereof, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SSS2. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 2 Dozen and 2½ Dozen Packages of Madame Dean Female Pills (Ordinary) and 21 Packages and 2½ Dozen Packages of Madame Dean Female Pills (Special). Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13273, 13274, 13484. I. S. Nos. 6306-t, 6325-t, 7474-t, 7475-t. S. Nos. E-2521, E-2652, E-2557.)

On August 24 and September 1, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 dozen packages and 2½ dozen packages of Madame Dean Female Pills (Ordinary) and 2½ dozen packages and 21 packages of Madame Dean Female Pills (Special), remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about May 28, 1920, February 8, 1919, September 20, 1919, and June 1, 1920, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular, Scanty Menstruation;" (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterine, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring the menstrual or monthly periods \* \* \* strengthen and build up the uterine function;" (circular) "\* \* \* A great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again;" (circular accompanying the consignment of May 28, 1920) "\* \* \* Special strength \* \* \* should relieve the most obstinate cases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills (ordinary) consisted essentially of aloes, ferrous sulphate, quinine, hydrastis, ginger, and cornstarch, and that the pills marked "Special Strength" consisted essentially of aloes, ferrous sulphate, quinine, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the box labels and wrappers and in the circulars and booklets, regarding the curative and therapeutic effect thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8883. Adulteration of pies. U. S. \* \* \* v. 50 Pies. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13526. Inv. No. 9018. S. No. C-2424.)

On or about August 28, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 pies, at Davenport, Iowa, alleging that the article had been shipped on or about August 28, 1920, by the Case & Martin Co., Chicago, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration in violation of the Food and Drugs Act. The tins containing the pies were stamped, "Case & Martin Co. Connecticut Pies."

Adulteration of the article was alleged in the libel for the reason that saccharin had been mixed and packed therewith so as injuriously to affect its quality and strength and had been substituted in part for the article, for the further reason that the article had been mixed with saccharin in such a manner as to conceal the damage and inferiority of said product, and for the further reason that said article contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render the article injurious to health.

On October 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8884. Misbranding of Parto-Glory. U. S. \* \* \* v. 371 Packages of Parto-Glory. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13533, 13534, 13535, 13536, 13537, 13538. I. S. Nos. 5332-t, 5333-t, 5334-t, 5335-t, 5336-t, 5337-t. S. Nos. E-2598, E-2599, E-2600, E-2601, E-2602, E-2670.)

On August 27, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 371 packages of an article, labeled in part "Parto-Glory," consigned by the Partola Service Corporation, New York, N. Y., between June 14 and 18, 1920, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing essentially an iron salt, strychnine, quinine, and potassium bromid.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements, regarding the curative and therapeutic effects of the same, (bottle) "Tonic for the Nerves," (can) "For the nerves. For every form of nervous affliction \* \* \* used

with remarkable success whenever nerves have been affected, also in afflictions due directly to weakened nerves such as Run-Down Condition, Nervous Prostration, Melancholia, Brain Fag, Poor Memory, Shaky Hands or Knees, Tired Feeling, Nervous Dyspepsia, Neuralgia, Effects of Tobacco or Alcohol," (circular) "The great Upbuilder of the Nervous System \* \* \* Headaches, Neuralgia, Nervous Twitchings, Irritability, Tired, Run-Down Feeling, Weariness, Lassitude, Loss of Memory \* \* \* Great Wonderful Nerve Tonic \* \* \* strengthening and invigorating \* \* \* when Run-down, Fagged-out, Nervous, Irritable \* \* \* take Parto-Glory, \* \* \* a genuine, powerful nerve tonic, that builds up from the bottom. Parto-Glory contains restoring energies for young men who started off with the idea that nothing could sap the energies of their youth, and who have therefore 'gone the pace of youthful error' too rapidly. Parto-Glory is a friend in need for men and women who have indulged too freely in the excesses and frivolities of life, and who are alarmed by the evident decline of capacity, ability, and even desire to take part in the joys of healthy, vigorous, ambitious manhood and womanhood. Parto-Glory is what the drinker needs to steady his nerves, clear his mind, brace him up, give him a hold on himself that will aid in his restoration with resistance of such tendencies \* \* \* Parto-Glory is a great help in overcoming the effects of excessive smoking \* \* \* used with great relief and comfort by women during certain painful and weakening periods of the month," were false and fraudulent for the reason that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8885. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 2 Dozen Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13545. I. S. No. 5130-t. S. No. E-2651.)**

On August 27, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 2 dozen packages of an article, labeled in part "Madame Dean Female Pills," consigned about February 2, 1920, by Martin Rudy, Lancaster, Pa., remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Pennsylvania into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous sulphate, quinine, hydrastis, ginger, and cornstarch.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, (box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular, and Scanty Menstruation," (booklet) " \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes of the menopause or change of life \* \* \* act on the circula-

tory system of the uterus, thereby relieving painful, irregular, and scanty menstruation, and assist in reestablishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine function," (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to: they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period. Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take until the menstrual flow commences again. Special Strength \* \* \* should relieve the most obstinate cases," were false and fraudulent for the reason that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8886. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 20 Packages \* \* \* of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13560. I. S. No. 8772-t. S. No. E-2638.)

On August 26, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, a libel for the seizure and condemnation of 20 packages of an article, labeled in part "Dr. Martel's Female Pills," at Washington, D. C., alleging that the article had been shipped by the French Drug Co., New York, N. Y., and transported from the State of New York into the District of Columbia, and that the article was being sold and offered for sale in the City of Washington, District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of white tablets composed essentially of oil of savin, ferrous sulphate and carbonate.

It was alleged in substance in the libel that the article was misbranded for the reason that each and every package bore a label containing the following statements, among others, "Female Pills \* \* \* for Suppression of the Menses, Dysmenorrhœa (Painful Menstruation), and similar functional derangements," and for the further reason that the circular accompanying the article contained the following statements, among others, "Female Pills \* \* \* for Disturbances of the Menstrual Functions. \* \* \* For Amenorrhœa (Suppression of the Menses) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhœa (Painful or scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected re-appearance of the menstrual flow," which said statements were false and fraudulent in that they were, severally, statements of the curative and therapeutic effect of the drug and of the ingredients and substances contained therein, which statements were false and fraudulent for the reason that the drug contained no ingredients or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS87. Misbranding of Damiana Compound with Saw Palmetto. U. S. \* \* \* v. 10 Dozen Packages of Damiana Compound with Saw Palmetto. Default decree of condemnation and forfeiture. Product ordered sold or destroyed.** (F. & D. No. 13570. I. S. No. 9401-t. S. No. E-2633.)

On August 25, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen packages of Damiana Compound with Saw Palmetto, at Atlanta, Ga., alleging that the article had been shipped on or about June 2, 1920, by the Hollander-Koshland Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled on bottles and cartons: "For use in the treatment of Sexual Weakness \* \* \* Loss of Manhood, Debility, Lack of Virility and Impotency \* \* \* Psychic Impotence, Atonic Impotence, prostaticorrhea \* \* \* Spermatorrhœa;" (additional on carton) "or Impotence \* \* \* Sexual Weakness."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a solution containing damiana extractives, ferric iron, and nux vomica alkaloids.

It was alleged in substance in the libel that the above-quoted statements regarding the curative and therapeutic effects of the article, appearing on the packages and cartons containing the same, falsely and fraudulently represented it to be effective as a remedy, cure, and preventive of sexual weakness, loss of manhood, debility, lack of virility and impotency, psychic impotency, atonic impotence, prostaticorrhea and spermatorrhœa, whereas, in truth and in fact, it was not.

On October 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal after the destruction of the cartons containing the same and the removal of the labels from the bottles containing the product. It was provided, however, by the court, that if the sale could not be effected in such a way as to realize a substantial amount the product should be destroyed by the said marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS88. Adulteration of eggs. U. S. \* \* \* v. 20 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 13671. I. S. No. 10153-t. S. No. W-643.)

On or about August 10, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 31, 1920, from Park, Kans., and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "P. Leiker & Sons, Park, Kans.," and shipped by this company.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, of decomposed and rotten eggs, and was unfit for food.

On October 8, 1920, Charles S. Jamison, Denver, Colo., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8889. Adulteration of walnuts. U. S. \* \* \* v. 15 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14077. I. S. No. 7616-t. S. No. E-2916.)**

On December 15, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bags of walnuts, remaining in the original unbroken packages at Philadelphia, Pa., consigned by J. Kutsukian & Co., New York, N. Y., alleging that the article had been shipped on or about November 20, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8890. Adulteration of milk. U. S. \* \* \* v. William G. Richter. Plea of nolo contendere to count 1. Fine, \$75 and costs. Count 2 dismissed. (F. & D. No. 10363. I. S. No. 9334-p.)**

On October 9, 1919, the Grand Jurors of the United States within and for the District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 2 counts against William G. Richter, Breese, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 11, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From W. G. Richter, Station Breese, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was very dirty, and that a part of the butter fat had been abstracted.

Adulteration of the article was charged in the first count of the indictment for the reason that it consisted in part of a filthy animal substance.

On October 20, 1920, the second count of the indictment, charging that butter fat had been abstracted, having been dismissed, the defendant entered a plea of nolo contendere to the first count, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8891. Misbranding of Leonard Ear Oil. U. S. \* \* \* v. 5 Dozen Cartons of Leonard Ear Oil. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11281. I. S. No. 2996-r. S. No. W-490.)**

On September 24, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen cartons of Leonard Ear Oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by A. O. Leonard, New York, N. Y., on July 28, 1919, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of camphor, oil of eucalyptus, and a trace of alkaloidal material in mineral oil.

It was alleged in the libel that the article was misbranded in that certain therapeutic effects claimed for it on the cartons and labels and in the circulars inclosed in each carton, as follows, (cartons) "A Glandular \* \* \* Oil Recommended for the Relief of Deafness, Head Noises, Discharging, Itching, Scaly Ears \* \* \* and Ear Ache \* \* \* Deafness, Head Noises and Ear Troubles," (labels) "Leonard Ear Oil Recommended for Relief of Deafness, Head Noises, Dry, Itching, Aching and Discharging Ears," (circular) "For relief of catarrhal deafness and head noises and other kinds of deafness and ear troubles \* \* \* To relieve deafness \* \* \* Leonard Ear Oil \* \* \* will seldom fail to give relief \* \* \*," (circular containing testimonials) "\* \* \* Glandular \* \* \* Oil for Relief of Deafness, Head Noises and for Relief of Discharging, Itching, Scaly Ears, and Ear Ache \* \* \* has relieved the Deafness and Head Noises of more people than any known remedy. Its success has been phenomenal \* \* \* Ear Troubles \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 20, 1920, A. O. Leonard, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8892. Misbranding of The Texas Wonder. U. S. \* \* \* v. 6 Dozen Bottles of The Texas Wonder. Judgment by default ordering destruction of the product. (F. & D. No. 11857. I. S. No. 593-r. S. No. E-1915.)**

On December 29, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of The Texas Wonder, at Jacksonville, Fla., consigned by E. W. Hall, St. Louis, Mo., alleging that the article had been shipped on or about December 1, 1919, and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons and circulars contained the following statements regarding the curative and therapeutic effect thereof, (carton) "\* \* \* A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel.

Regulates Bladder Trouble in children \* \* \*," (circular) "Read Carefully Special Directions \* \* \* The Texas Wonder Hall's Great Discovery \* \* \* in \* \* \* Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved \* \* \*," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On January 6, 1921, no claimant having appeared for the property, a decree was entered by the court ordering that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS93. Adulteration and misbranding of extracts of vanilla and lemon. U. S. \* \* \* v. 24 1-Quart Bottles of Alleged Extracts of Vanilla and Lemon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 11921. I. S. Nos. 626-r, 627-r. S. No. E-1960.)

On or about February 10, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 1-quart bottles (12 1-quart bottles each) of extracts of vanilla and lemon, at Edenton, N. C., alleging that the articles had been shipped by The Twin City Mfg. Co., Norfolk, Va., on or about July 24, 1919, and transported from the State of Virginia into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively, "Extract of Vanilla" (or "Lemon") "Virginia Brand Pure Flavoring Extracts Certified Colors \* \* \* Manufactured by Twin City Mfg. Co., Inc., Norfolk, Virginia."

Adulteration of the articles was alleged in the libel for the reason that they were diluted so as to reduce, lower, and injuriously affect their quality and strength.

Misbranding was alleged in substance for the reason that the above-quoted statements were false and misleading in that they represented that the articles were pure extracts of vanilla or lemon flavoring, when, in truth and in fact, they were not. Misbranding was alleged for the further reason that the articles were food in package form, and the quality [quantity] of the contents thereof was not plainly and conspicuously marked on the outside of the packages.

On April 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS94. Misbranding of Dr. LeGear's Hog Prescription. U. S. \* \* \* v. 10 Packages, 23 Pails, 2 Cases, and 1 Case of Dr. LeGear's Hog Prescription. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12065, 11919. I. S. Nos. 16518-r, 16520-r. S. Nos. E-1920, E-1946.)

On or about January 10 and February 9, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 packages, 23 pails (24 pounds each), 2 cases (12 cartons each), and 1 case of sample cartons of Dr. LeGear's Hog Prescription, a portion of which was at New Bern, N. C., and the remainder at Elizabeth City, N. C., alleging that the article had been shipped by the Dr.

L. D. LeGear Medicine Co., St. Louis, Mo., on or about January 20 and December 3, 1919, and transported from the State of Missouri into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Dr. LeGear's Hog Prescription \* \* \* The Worm Expeller Good for many cases of so-called Cholera in Hogs, such as Diarrhœa, Bowel Troubles, Kidney Worms, etc. For Diarrhœa, Dysentery and other Bowel Troubles resembling Cholera. For Kidney Worms or Paralysis. To Prevent Disease."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of magnesium sulphate, ferrous sulphate, sodium chlorid, charcoal, American wormseed, and mill screenings.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements were false and fraudulent and were applied to said articles so as to represent falsely and fraudulently to the purchasers thereof that the article was in whole or in part an effective remedy for the purpose for which it was recommended, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 1 and April 20, 1920, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS95. Adulteration of cheese. U. S. \* \* \* v. 50 Cheeses. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12228. I. S. No. 16523-r. S. No. E-2000.)

On or about March 3, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cheeses, at Edenton, N. C., alleging that the article had been shipped by Charles Syer & Co., Norfolk, Va., on or about December 30, 1919, and transported from the State of Virginia into the State of North Carolina, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On April 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS96. Adulteration of canned salmon. U. S. \* \* \* v. 1,121 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12456. I. S. No. 381-r. S. No. E-2147.)

On May 17, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,121 cases, each case containing 48 cans, of canned salmon, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 7, 1919, and transported from the District of Columbia into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Hall's

Par-Valu Brand Red Alaska Salmon \* \* \* 1 Lb. Net Weight \* \* \*  
Hall's Red Alaska \* \* \*

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On July 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8897. Adulteration and misbranding of chocolate coating. U. S. \* \* \* v. 3½ Cases of Chocolate Coating. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 13220. I. S. No. 16961-r. S. No. E-2465.)**

On August 11, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3½ cases of chocolate coating, consigned on or about April 13, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Massachusetts Chocolate Co., Boston, Mass., and transported from the State of Massachusetts into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sweet Chocolate Coating."

Adulteration of the article was alleged in the libel for the reason that cocoa shells had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding was alleged for the reason that the package or label bore the statement, to wit, "Sweet Chocolate Coating," regarding the article or the ingredients or substances contained therein, which was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be relabeled, in conformity with section 10 of the act, and sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8898. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 2 Dozen Packages (Single and Special), 1 Dozen Packages (Single), and 14 Packages (Special) of Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13271, 13272. I. S. Nos. 8418-t, 8419-t, 8413-t, 8414-t. S. Nos. E-2653, E-2654.)**

On August 31, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 dozen packages of Madame Dean Female Pills, consisting in part of single strength and in part of special strength, consigned on or about July 29, 1920, and 1 dozen packages of Madame Dean Female Pills, single strength, and 14 packages of Madame Dean Female Pills, special strength, consigned on or about March 13, 1920, alleging that the articles had been shipped by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the pills (ordinary) consisted essentially of aloes, fer-

rous sulphate, quinine, hydrastis, ginger, and cornstarch, and that the pills marked "Special Strength" consisted essentially of aloes, ferrous sulphate, quinine, senecio flowers and herb, ginger, and cornstarch.

Misbranding of the articles was alleged in the libels for the reason that the following statements, regarding the curative and therapeutic effect thereof, (box and wrapper) "Female Pills \* \* \* Give Relief in Female disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation," (booklet) "\* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine function." (circular) "\* \* \* A great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation, \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 4 and November 16, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS99. Misbranding of Chase's Blood and Nerve Tablets and Chase's Blood and Nerve Tablets, Special. U. S. \* \* \* v. S Dozen, 5 $\frac{1}{2}$  Dozen, and 1 Dozen Packages of Chase's Blood and Nerve Tablets and 42 $\frac{1}{2}$  Dozen Packages of Chase's Blood and Nerve Tablets, Special. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13319, 13320, 13321, 13322. I. S. Nos. 6329-t, 7463-t, 6309-t, 7461-t, 7462-t. S. Nos. E-2510, E-2511, E-2512, E-2509.)**

On August 16, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 dozen, 5 $\frac{1}{2}$  dozen, and 1 dozen packages of Chase's Blood and Nerve Tablets, and 42 $\frac{1}{2}$  dozen packages of Chase's Blood and Nerve Tablets, Special, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the United Medicine Co., Philadelphia, Pa., on or about April 22, February 5, June 30, and June 25, 1920, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Nerve Tablets;" (wrapper) "Nerve Tablets \* \* \* a restorative to the nerves, giving health, strength and vigor to the weak, nervous, emaciated, convalescent and over-worked. These Tablets can be taken in Dizziness, Despondency, General Debility, Irritability, in conditions where there is Weakness and a Lack of

Strength;" (circular) "These Tonic Preparations are Especially Useful in Cases of Weakness and a Lack of Strength \* \* \* a restorative to the nerves, giving health, strength and vigor to the weak, nervous, emaciated, convalescent and overworked. These Tablets can be taken in Dizziness, Despondency, General Debility, Irritability, and in conditions where there is Weakness and a Lack of Strength \* \* \* they aid digestion, and stop fermentation in the stomach \* \* \* The tablets begin their work by correcting the stomach \* \* \* Women who find the tablets make them menstruate too freely should not take them during that period. As a female regulator \* \* \* During pregnancy they should not be taken until after the fourth month, on account of their speedy action on the blood \* \* \* Men will find these Tablets a powerful restorative tonic \* \* \* Convalescents \* \* \* where the body has been left emaciated, the blood thin and watery, the nervous system shattered, and the digestive organs too weak to assimilate the food \* \* \* require \* \* \* Chase's Blood and Nerve Tablets."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloin, ferrous carbonate, capsicum, zinc phosphid, and nux vomica alkaloids.

Misbranding of the article was alleged in the libels for the reason that the statements appearing on the wrappers and labels and in the circulars, as hereinbefore set forth, regarding the curative and therapeutic effect thereof, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On October 26, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S900. Adulteration of gelatin. U. S. \* \* \* v. 2 Barrels and 1 Drum of Gelatin. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10089, 10090. I. S. Nos. 5542-r, 7826-r. S. Nos. C-1170, C-1171.)

On April 25, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 barrels and 1 drum of gelatin, remaining unsold in the original unbroken packages at Willmar and Barnum, Minn., alleging that the article had been shipped on April 1, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that glue had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

On July 16 and October 13, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 8901-8950.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**S901. Misbranding of "G Zit" Complete—Stearns'. U. S. \* \* \* v. 10 Packages, \$3 size, and 6 Packages, \$6 size, of "G Zit" Single (Complete—Stearns'). Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10733. I. S. No. 2022-r. S. No. W-425.)**

On June 21, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages, \$3 size, and 6 packages, \$6 size, of "G Zit" Single, Complete—Stearns', remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Stearns-Hollinshead Co., Portland, Oreg., September 20, 1918, and transported from the State of Oregon into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Outside carton, \$3 size) "'G Zit' Complete—Stearns' \* \* \* a healing \* \* \* preparation \* \* \* less chance for complicated, lasting disease, when this treatment is used \* \* \*;" (outside carton, \$6 size) "'G Zit' Complete—Stearns' a healing \* \* \* preparation \* \* \* less chance for complicated lasting disease when this treatment is used \* \* \* We warn you against the doctor who hears you tell him your troubles and then without further examination writes you a prescription. You are better off to save this extra money and use Zit Complete Stearns \* \* \*;" (carton, G Zit Bougies) "Less chance for complicated lasting disease if this treatment is used;" (carton, G Zit Antiseptics) "\* \* \* acts on all germ life that may be lodged in the bladder;" (circular) "Zit Complete Stearns' Hand One to Each Customer, Please? Instructions for gonorrheal patients to cure yourself. To prevent sexual diseases spreading from the afflicted \* \* \*;" (booklet, English and other languages) "\* \* \* This medicine does destroy the germ of gonorrhea \* \* \* For Gonorrhea, use Zit Complete, Stearns' \* \* \* gonorrhea patients

should use Zit Complete, Stearns' \* \* \* Every case of Stricture could be avoided \* \* \* to avoid use Zit Complete, Stearns' \* \* \* Seminal Vesiculitis \* \* \* to prevent it follow all directions \* \* \* on labels of Zit Complete, Stearns' \* \* \* till cure is final and complete."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the "G Zit" Complete consisted of two preparations, bougies and capsules (antiseptics) for internal use. The bougies were composed essentially of silver nucleinate in cacao butter base. The contents of the capsules consisted essentially of balsam of copaiba, oleoresin of cubebs, sulphurated linseed oil, and a small amount of plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding its curative and therapeutic effects, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S902. Misbranding of Dr. Silverstone's International [Internal] Remedy. U. S. \* \* \* v. 11 Dozen Packages of Dr. Silverstone's International [Internal] Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11393. I. S. No. 3035-r. S. No. W-515.)**

On October 3, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen packages of Dr. Silverstone's International [Internal] Remedy, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., July 10, 1919, and transported from the State of New York into the State of Washington, arriving on or about July 10, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Dr. Silverstone's Internal Remedy (Klotz R 999 Capsule Form) \* \* \* Prepared for The Pioneer Drug Co., \* \* \* Seattle, Wash., 36 capsules in box \* \* \* For the relief of Gonorrhea, Gleet, Stricture and all unnatural discharges in Male and Female. Does not produce nausea as do most internal remedies of this nature, used in connection with our injection will cure the most obstinate cases."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of resins and volatile oils, including copaiba and cubebs.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding its curative and therapeutic effects were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 16, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8903. Adulteration and misbranding of orange crush. U. S. \* \* \* v. 22 Cases of Orange Crush, So-Called. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11461. I. S. No. 6216-r. S. No. C-1491.)**

On October 8, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 cases of orange crush, so called, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped on or about July 3, 1919, by the Orange Crush Co., Chicago, Ill., and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Ward's Orange Crush in concentrated form prepared with oils, pressed from the peel of fresh ripe oranges and sugar sirup," and the label on each of said bottles containing the articles bore a picture or design of oranges with orange twigs and blossoms.

Adulteration of the article was alleged in the libel for the reason that certain substances had been substituted in whole or in part for said article of food, namely, a product composed of sugar, water, flavor, and color, to wit, sugar sirup artificially colored and flavored had been substituted for a product made wholly from fruit, namely, oranges. Adulteration was alleged for the further reason that the article was mixed and artificially colored in a manner whereby the inferiority of said article of food was concealed.

Misbranding was alleged in substance for the reason that the label of the article bore the above-mentioned statements, designs, and devices, regarding the article, which were false and misleading in that they purported to state and represent that the article was made wholly from fruit, namely, from oranges, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof to believe that he was buying an article of food made wholly from fruit, namely, oranges, when, in truth and in fact, it was not a product of crushed oranges and was not wholly a product of oranges, and was, in fact, not so made, but was mixed and adulterated with other articles as hereinbefore fully set forth.

On December 6, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8904. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S. \* \* \* v. 7 Dozen Packages of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11787. I. S. Nos. 8722-r, 8723-r, 8724-r. S. No. C-1565.)**

On December 17, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen packages of Dr. Harper's Anti-Cholera Tonic for Hogs, remaining unsold in the original unbroken packages at Strang, Okla., alleging that the article had been shipped on or about June 23, 1919, by the Elite Chemical Co., Watertown, Tenn., and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Dr. Harper's Anti-Cholera Tonic for Hogs Given to prevent diseases of swine For

worms \* \* \* 'How to Prevent Cholera' \* \* \* How to Prevent Hog Cholera \* \* \* About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as preventive to disease \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed that it consisted of a mixture essentially of sodium bicarbonate and sulphate, sulphur, iron oxid, and plant material, including fragments of seeds and hulls.

It was alleged in substance in the libel that the article was misbranded for the reason that the cartons enclosing the same and the circulars inside the cartons bore and contained the above-named statements, regarding the curative and therapeutic effects of said article and of the ingredients and substances contained therein, which were false and fraudulent in that said drug contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it on the cartons and in the circulars, as aforesaid.

On February 25, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8905. Misbranding of The Texas Wonder. U. S. \* \* \* v. 24 Dozen Packages of \* \* \* The Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11833, 11834. I. S. Nos. 558-r, 559-r. S. Nos. E-1904, E-1905.)

On December 30, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen packages of The Texas Wonder, remaining unsold in the original unbroken packages at Macon, Ga., alleging that the article had been shipped on or about November 15, 1919, and November 26, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part as follows: (Both shipments) "The Texas Wonder, E. W. Hall, Sole Manufacturer, St. Louis, Mo.;" (carton) "A Remedy for Kidney and Bladder Troubles. Weak and Lame Backs. Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (small circular) "Read Carefully Special Directions \* \* \* The Texas Wonder, Hall's Great Discovery \* \* \* Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved \* \* \*;" (shipment of Nov. 15) (white circular) "The Texas Wonder for Kidney and Bladder Troubles, Rheumatism, and Kindred Diseases \* \* \*;" (testimonial of Louis A. Portner) "I began using the Texas Wonder for stone in the kidneys, inflammation of the bladder, and tuberculosis of the kidneys \* \* \* his urine contained 40% pus \* \* \* was still using the medicine with wonderful results, and his weight had increased \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this Department showed that it consisted essentially of copaiba, rhubarb, colchicum, gualac, turpentine, alcohol, and water.

It was alleged in the libel that the article was misbranded for the reason that the above-quoted statements so appearing upon the carton label and in the circulars, respectively, were false and fraudulent, since the article con-

tained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for said product in said labels and circulars.

On May 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8906. Misbranding of sirup of anise. U. S. \* \* \* v. 6 Dozen Bottles of \* \* \* Sirop D'Anis (Sirup of Anise). Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12660. I. S. No. 18577-r. S. No. E-2188.)

On May 27, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of a product, labeled in part "Sirop D'Anis," consigned by J. A. E. Gauvin, Lowell, Mass., remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about October 10, 1919, and transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded for the reason that the packages bore certain statements regarding the curative and therapeutic effects of said article, as follows, (bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness, and Painful Dentition. \* \* \* For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, Colds, etc.," (wrapper) "For Babies \* \* \* This syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies \* \* \* a preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds, and Sleeplessness. Recommended for babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements). Recommended for babies and children when dentition is painful and when wanting sleep," which said statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the therapeutic or curative effects claimed for it in said statements.

On June 11, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8907. Misbranding of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apioi Tablets. U. S. \* \* \* v. 20 Dozen Packages and 1 Dozen Packages \* \* \* of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apioi Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13286, 13296. I. S. Nos. 8779-t, 8777-t. S. Nos. E-2662, E-2575.)

On September 1, 1920, and August 24, 1920, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels for the

seizure and condemnation of 20 dozen packages and  $\frac{1}{2}$  dozen packages of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets, at Washington, D. C., alleging that the article had been shipped by Robert J. Pierce, New York, N. Y., and transported from the State of New York into the District of Columbia, and that the said article was being sold and offered for sale in the District aforesaid, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part "Pierce's" (or "Robert J. Pierce's") "Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, and pennyroyal.

It was alleged in substance in the libels that the article was misbranded for the reason that the same bore a label containing the following statements, among others, "Tansy, Cotton Root, Pennyroyal and Apiol Tablets A safe emmenagogue always reliable and effective the best known remedy for the suppression of the menstrual function," and for the further reason that each package of the drug contained a circular which circular contained the following statements, among others, "Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \* take one until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow," which said statements were false and fraudulent in that they were severally statements of the curative and therapeutic effect of the said drug and of the ingredients and substances contained therein, which statements were false and fraudulent for the reason that said drug contained no ingredient or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S908. Misbranding of Arthur's Emmenagogue Pills and Leslie's Emmenagogue Pills. U. S. \* \* \* v. 11 Packages of Arthur's Emmenagogue Pills and U. S. \* \* \* v. 4 Dozen Boxes of Leslie's Emmenagogue Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13411, 13412. I. S. Nos. 450-t, 442-t. S. Nos. C-2296, C-2295.)**

On August 23, 1920, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11 packages of Arthur's Emmenagogue Pills and 4 boxes of Leslie's Emmenagogue Pills, remaining unsold at Gotebo and Erick, Okla., respectively, alleging that the articles had been shipped on or about January 14, 1920, by the Palestine Drug Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The products were labeled

in part, respectively, "Arthur's Emmenagogue Pills" and "Leslie's Emmenagogue Pills."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that both brands of pills consisted essentially of ferrous sulphate, aloes, and an unidentified alkaloid.

It was alleged in substance in the libels that the articles were misbranded for the reason that the following statement relative to the curative and therapeutic effects of said articles, appearing on the boxes containing each of the articles, to wit, "Emmenagogue Pills recommended for Amenorrhœa, Dysmenorrhœa and other Menstrual Troubles \* \* \* beginning treatment \* \* \* before the regular monthly period \* \* \* continue \* \* \* until relief is obtained," was false and fraudulent as the articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed for them.

On November 15, 1920, no claimants having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8909. Misbranding of Madame Dean Female Pills.** U. S. \* \* \* v. 30  
**Packages (Special) and 35 Packages (Single) \* \* \* of Madame Dean Female Pills, etc. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13467. I. S. Nos. 8232-t, 8233-t. S. No. E-2553.)

On August 20, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 packages of Madame Dean Female Pills (Special) and 35 packages of Madame Dean Female Pills (Single), consigned July 23, 1920, and July 30, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the special strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, and ginger, and that the single strength pills consisted essentially of quinine, aloes, ferrous sulphate, ginger, hydrastis, and cornstarch.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effects thereof, (box and wrapper) "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful Irregular and Scanty Menstruation," (booklet) \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \*, especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation and assist in re-establishing or restoring the menstrual or monthly periods \* \* \* strengthen and build up the uterine function," (circular) \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel

\* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* Continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8910. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 10 Bottles \* \* \* of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13471. I. S. No. 3908-t. S. No. C-2314.)**

On or about August 21, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bottles of Hall's Texas Wonder, at Des Moines, Iowa, alleging that the article had been shipped on or about July 28, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Hall's Texas Wonder."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in the libel that the article was misbranded for the reason that it contained no ingredient or combination of ingredients capable of producing the following therapeutic effects claimed for it on the carton and in the circular accompanying the said product: (Carton) "Recommended for Kidney and Bladder Troubles When Operation Not Required. Weak or Lame Backs. Rheumatism, Gravel and Bladder Troubles in Children;" (circular) "Read carefully In cases of Gravel and Rheumatic troubles, it should be taken every night in 25-drop doses until relieved."

On December 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8911. Misbranding of Robert J. Pierce's Tansy, Cotton Root, Pennyroyal and Apioi Tablets. U. S. \* \* \* v. 5 Dozen Packages \* \* \* of Robert J. Pierce's Tansy, Cotton Root, Pennyroyal and Apioi Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13473. I. S. No. 8236-t. S. No. E-2547.)**

On August 21, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen packages of Robert J. Pierce's Tansy, Cotton Root, Pennyroyal and Apioi Tablets, shipped June 5, 1920, and remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Robert J. Pierce, New York, N. Y., and transported from the State of New

York into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, and pennyroyal.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effects of said article, (box label) " \* \* \* Tansy, Cotton Root Pennyroyal and Apiol Tablets. A safe emmenagogue. Always reliable and effective. The best known remedy for the suppression of the menstrual function," (circular) " \* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* Irregularities. Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8912. Misbranding of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. U. S. \* \* \* v. 7 Dozen Packages \* \* \* Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13503. I. S. No. 7570-t. S. No. E-2559.)**

On August 23, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen packages of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets, consigned by Robert J. Pierce, Inc., New York, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, and pennyroyal.

It was alleged in the libel that the article was misbranded for the reason that the label and circular accompanying the article contained statements, designs, and devices regarding the curative or therapeutic effects of said article and the ingredients and substances contained therein which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers were led to expect by the following statements, designs, and devices which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof: (Box) " \* \* \* Tansy, Cotton Root Pennyroyal and Apiol Tablets A safe emmena-

gogue. Always reliable and effective. The best known remedy for the suppression of the menstrual function;" (circular) " \* \* \* Tansy, Cotton Root, Pennyroyal and Apiole Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruation When the suppression is of long standing \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow."

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8913. Misbranding of Nerv-Mintz. U. S. \* \* \* v. 90 Dozen Packages and 20 Packages of Nerv-Mintz. Default decrees of condemnation, forfeiture, and destruction.** (E. & D. Nos. 13594, 13595. I. S. Nos. 8775-t, 8771-t. S. Nos. E-2588, E-2592.)

On August 26, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, libels for the seizure and condemnation of 90 dozen packages and 20 packages of Nerv-Mintz, at Washington, D. C., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., and transported from the State of West Virginia into the District of Columbia, and was being offered for sale and sold in the District aforesaid, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the tablets consisted of sabal, nuxvomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libels for the reason that the packages and the circulars accompanying said packages contained the following statements, regarding the curative and therapeutic effects thereof. (box) "Nerv-Mintz Nerve and Energy Tablets especially a nerve strengthener \* \* \* soothe and quiet the nerves \* \* \* used for the relief of Nervousness, Loss of Vigor, Energy and Ambition—Lack of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted or Weakened Vitality, Mental Depression, Numbness, Weakening Habits and All Overworked and Unstrung Nerves Induced by Fast Living and Other Excesses \* \* \* Useful in the Treatment of Nervous Conditions which follow too Strenuous Living, Mental and Physical Fatigue, and other Excesses," (circular) "Nerve-Mintz for nervous debility \* \* \* exceptionally efficient in the treatment of Nervousness, Loss of Vigor, Energy and Ambition, Lack of confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened or Exhausted Vitality, Mental or Physical Depression, Weakening Habits \* \* \* and for all overworked and unstrung nerves induced by fast living and other excesses. \* \* \* To all those who \* \* \* suffer from the effects of fast living, overwork and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. \* \* \* Keep up the treatment \* \* \*," which statements were false and fraudulent in that the

article contained no ingredient or combination of ingredients in sufficient quantity and strength capable of producing the effect claimed.

On October 18, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8914. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 144 Packages of Hooper's Female Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13632. I. S. Nos. 5142-t, 5143-t, 5347-t. S. No. E-2586.)

On September 2, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 144 packages of Hooper's Female Pills, consigned between September 2, 1919, and July 15, 1920, by the Horace B. Taylor Co., Philadelphia, Pa., remaining in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped and transported from the State of Pennsylvania into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, "Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing Menstruation \* \* \* for the removal of Irregularities \* \* \* are used \* \* \* (except in cases of Pregnancy \* \* \*) Opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the Female Sex are subject to \* \* \* cleanse, purify, and cause a free circulation of the blood \* \* \* open those obstructions which Virgins are liable to \* \* \* best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at \* \* \* age \* \* \* forty-five \* \* \* to prevent those disorders that usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterical or vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of \* \* \* courses \* \* \* continue their use until the end is answered," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8915. Misbranding of marshmallow creme. U. S. \* \* \* v. 1,250 Cases of A. B. C. Brand Marshmallow Creme. Consent decree of condemnation and forfeiture. Product ordered released on bond for re-labeling.** (F. & D. No. 13634. I. S. No. 6258-t. S. No. E-2644.)

On September 9, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district a libel for the seizure and condemnation of 1,250 cases of A. B. C. Brand marshmallow creme, at Jersey City, N. J., alleging that the article had been shipped on or about July 17, 1920, by the American Marshmallow & Candy Co., Chicago, Ill., and transported from the State of Illinois into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The cans containing the article were labeled in part, "A. B. C. Brand Marshmallow Creme \* \* \* American Marshmallow & Candy Company, Chicago, U. S. A. \* \* \* 8 ounces when packed."

Examination of 5 cans by the Bureau of Chemistry of this department showed an average net weight of 6.33 ounces.

Misbranding of the article was alleged in the libel for the reason that the package or label bore a statement, to wit, "8 ounces when packed," which was false and misleading and deceived and misled the purchaser into the belief that the package contained 8 ounces of the article, whereas it contained a less amount, and for the further reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On October 5, 1920, the said American Marshmallow & Candy Co., by its representative, Fred E. Zvirin, New York, N. Y., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

**S916. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 9 Packages (Single Strength) and 10 Packages (Special Strength) of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13646. Inv. Nos. 23570, 23571. S. No. C-2468.)**

On September 10, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages (Single Strength) and 10 packages (Special Strength) of Madame Dean Female Pills, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about July 5, 1919, and January 20, 1920, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine function. \* \* \* a great relief against those general complaints the Female Sex is subject to \* \* \* they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular,

painful, scanty or suppressed menstruation \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again \* \* \* Special Strength \* \* \* should relieve the most obstinate cases."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the single strength pills consisted essentially of quinine, aloes, ferrous sulphate, ginger, hydrastis, and cornstarch, and that the special strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, and ginger.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the article, were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8917. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 3½ Dozen Packages (Single Strength) and 5 Dozen Packages (Special Strength) of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13651, 13652. I. S. Nos. 5345-t, 5346-t, 5139-t. S. Nos. E-2713, E-2714.)**

On September 7, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 3½ dozen packages of Madame Dean Female Pills, Single Strength, and 5 dozen packages of Madame Dean Female Pills, Special Strength, consigned by Martin Rudy, Lancaster, Pa., between November 21, 1918, and May 22, 1920, alleging that the article had been shipped and transported from the State of Pennsylvania into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the single strength pills consisted essentially of quinine, aloes, ferrous sulphate, ginger, hydrastis, and cornstarch, and that the special strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, and ginger.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, "Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation and assist in re-establishing or restoring the menstrual or monthly periods \* \* \* strengthen

and build up the uterine function \* \* \* a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken \* \* \* to assist nature with those disorders \* \* \* during the change of life period \* \* \* Continue the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* Continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again. Special Strength \* \* \* should relieve the most obstinate cases," were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8918. Misbranding of Gold Medal Compound Pills. U. S. \* \* \* v. 30 Packages \* \* \* of Gold Medal Compound Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13655. Inv. No. 23569. S. No. C-2469.)**

On September 10, 1920, the United States attorney for the District of Nebraska, acting, upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 packages of Gold Medal Compound Pills, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about July 1, 1920, by the Ashland Supply House, Chicago, Ill., and transported from the State of Illinois into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "\* \* \* To Prevent Irregularities. Take one Pill (3) times a day for four or five days before the expected appearance of the menstrual period. For Painful Menstruation or Dysmenorrhœa. These excruciating pains which some go through each month can be avoided to a great extent by taking Gold Medal Pills the same as prescribed for suppression. We Recommend these Pills as a Most Effectual Emmenagogue \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, aloes, and oil of pennyroyal.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8919. Misbranding of Porose Pills and Lozon Pills. U. S. \* \* \* v. 68 Boxes and 44 Boxes of Porose Pills and 48 Packages and 24 Packages of Lozon Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13631, 13660, 13717. I. S. Nos. 5550-t, 5144-t, 5148-t, 5391-t, 5392-t. S. Nos. E-2711, E-2726, E-2774, E-2776.)**

On September 3, September 7, and September 23, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secre-

tary of Agriculture, filed in the District Court of the United States for said district libels of information praying the seizure and condemnation of 68 boxes and 44 boxes of Porose Pills and 48 packages and 24 packages of Lozon Pills, consigned between April 12, 1920, and August 17, 1920, by the Lafayette Co., Berlin, N. H., remaining in the original unbroken packages at Boston, Worcester, and Lowell, Mass., alleging that the articles had been shipped and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples by the Bureau of Chemistry of this department showed that the Porose Pills consisted essentially of ferrous carbonate, extractives of nux vomica and saw palmetto, arsenic, and a laxative plant drug, and that the Lozon Pills consisted essentially of ferrous carbonate, nux vomica, damiana, arsenic, and a laxative plant drug.

It was alleged in substance in the libels of information that the Porose Pills were misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, (box and wrapper, English and French) "Unequaled for \* \* \* all women's complaints in general," (circular, English and French) "For \* \* \* any \* \* \* complaint [peculiar] particular to women \* \* \* delayed or even suppressed periods \* \* \* best of regulating tonics for all women complaints. Irregular Periods \* \* \* Leucorrhea \* \* \* Womb Troubles \* \* \* Indigestion and Sour Stomach \* \* \* Dyspepsia \* \* \* Kidney Troubles," were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

It was alleged in substance that the Lozon Pills were misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, (box, English) "Restores Vitality to weak men, whether lost by \* \* \* excesses of any kind \* \* \* will \* \* \* tone up weak men," (French) "Gives a youthful ardor," (wrapper, English and French) "For Men's Health \* \* \* will \* \* \* tone up weak men \* \* \* No cure no pay," (circular, English) " \* \* \* give new life \* \* \* recommended for young \* \* \* middle age and old men \* \* \* troubles \* \* \* often caused by \* \* \* abuses and bad habits so common among men and boys," (French) "To give vitality and new energy," (both languages) "Dyspepsia Kidney Troubles Rheumatism Affections of the Nerves," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12 and November 24, 1920, no claimants having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8920. Misbranding of Dr. King's Star Crown Brand Pills. U. S. \* \* \* v. 26 Packages of Dr. King's Star Crown Brand Pills and 4 Dozen Packages of King's Star Brand Crown Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13661, 13709. I. S. Nos. 5151-t, 5153-t. S. Nos. E-2636, E-2763.)**

On September 7 and September 21, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information praying the seizure and condemnation of 26 packages of Dr. King's Star Crown Brand Pills and 4 dozen packages of King's Star Crown Brand

Pills, consigned April 30, 1920, and about August 13, 1920, by the Northern Drug Co., Duluth, Minn., remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Minnesota into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, oil of pennyroyal, and licorice.

It was alleged in substance in the libels of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, (circular) "Delayed Menstruations \* \* \* immediately preceding the expected appearance of the menstrual flow, take two pills at night \* \* \* Painful Menstruations \* \* \* take one \* \* \* for six nights prior to the reappearance of the flow. Irregularities. Where the menses are not regular \* \* \* Dr. King's Star Crown Brand Pills are invaluable. Take one \* \* \* three times daily for four or five days preceding the expected appearance of the menstrual period," were false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8921. Misbranding of Porose Pills. U. S. \* \* \* v. 296 Packages of \* \* \* Porose Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13695, 13696, 13697. I. S. Nos. 5367-t, 5372-t, 5358-t. S. Nos. E-2753, E-2754, E-2755.)

On September 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 29, 1920, an amended libel, praying the seizure and condemnation of 296 packages of Porose Pills, consigned by the Lafayette Co., Berlin, N. H., remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped between June 28, 1919, and June 23, 1920, and transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Porose Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of ferrous carbonate, nux vomica, a laxative plant drug, arsenic, and unidentified plant extractives.

It was alleged in substance in the libel, and amended libel that the article was misbranded for the reason that the packages bore certain statements regarding the curative or therapeutic effect of such article as follows, (box and wrapper) " \* \* \* Unequalled for \* \* \* all women's complaints in general," (circular) " \* \* \* any \* \* \* complaint [peculiar] particular to women \* \* \* delayed or even suppressed periods \* \* \* best of regulating tonics for all women complaints \* \* \* Irregular Periods \* \* \* Leucorrhea \* \* \* Womb Troubles Indigestion \* \* \* Sour Stomach Dyspepsia Kidney Trouble" (above statements also in French), which said statements were false and fraudulent for the reason that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

**8922. Misbranding of Lozon Pills. U. S. \* \* \* v. 89 Packages \* \* \* of Lozon Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13698, 13699, 13700. I. S. Nos. 5357-t, 5359-t, 5368-t. S. Nos. E-2756, E-2757, E-2758.)

On September 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on October 28, 1920, an amended libel, praying the seizure and condemnation of 89 packages of an article, labeled in part "Lozon Pills," consigned by the Lafayette Co., Berlin, N. H., between June 28, 1919, and June 23, 1920, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been transported from the State of New Hampshire into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous carbonate, nuxvomica, damiana, arsenic, and a laxative plant drug.

It was alleged in substance in the libel and amended libel that the article was misbranded for the reason that the packages contained certain statements regarding the curative or therapeutic effect of said article, as follows, "Restores Vitality to weak men, whether lost by \* \* \* excesses of any kind \* \* \* will tone up weak men, \* \* \* gives a youthful ardor \* \* \*," " \* \* \* for men's health \* \* \* will \* \* \* tone up weak men \* \* \* No cure no pay," " \* \* \* give new life \* \* \* recommended for young \* \* \* middle age and old men \* \* \* troubles \* \* \* often caused by \* \* \* abuses and bad habits so common among men and boys \* \* \*. To give vitality and new energy \* \* \* Dyspepsia Kidney Troubles Rheumatism Affections of the Nerves," which said statements were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture*.

**8923. Misbranding of Bar-Ben. U. S. \* \* \* v. 15 Packages \* \* \* of Bar-Ben. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13704. I. S. No. 396-t. S. No. C-2507.)

On September 18, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages of Bar-Ben, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about October 8, 1917, by Fred C. Keeling, Rockford, Ill., and transported from the State of Illinois into the State of Nebraska, and charging misbranding in violation of the Food and Drug Act, as amended. The article was labeled in part: "Health power energy \* \* \* especially efficacious as a tonic for weak women \* \* \* the great restorative Bar-Ben is a truly wonderful nerve tonic and blood builder. It replaces the essentials of life that have been

exhausted by high living, overwork, worry, brain fatigue, indigestion, or the excessive use of tobacco, opium, or liquor. It creates solid flesh, muscle, and strength, clears the brain, makes the blood pure and rich, and causes a general feeling of renewed life, while the generative organs are helped to regain their normal powers, and the sufferer is quickly made conscious of direct benefit. For nervous prostration, overwork, weakening drains, or lost vitality in either sex, Bar-Ben certainly cannot be excelled. Within three days after taking the first dose you notice the return of the old vim, snap and energy that you had counted as lost forever \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of plant extractives, including nux vomica and damiana, zinc, and combined phosphorus, probably as zinc phosphid.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements regarding the curative and therapeutic effects of the article were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8924. Adulteration and misbranding of butter. U. S. \* \* \* v. 115 Tubs of Butter. Consent decree of condemnation. Product ordered released on bond.** (F. & D. No. 13718. I. S. No. 5276-t. S. No. E-2772.)

On September 23, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 115 tubs of butter, consigned August 12, 1920, by the Dixie Butter Co., Louisville, Ky., remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Kentucky into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it was deficient in butter fat and contained excessive moisture.

Misbranding was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, butter.

On December 13, 1920, the said Dixie Butter Co., Louisville, Ky., by its agent, the Lewis-Mears Co., having filed a satisfactory bond, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**8925. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 250 Cases \* \* \* of a Product Purporting to be Canned Tomatoes. Default decree of condemnation and forfeiture providing for sale of goods after relabeling.** (F. & D. No. 13725. I. S. No. 7485-t. S. No. E-2770.)

On September 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 250 cases of a product purporting to be canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 12, 1920, by the Phillips Packing Co., Cambridge, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, tomato pulp, had been mixed and packed with, and substituted in part for, tomatoes.

Misbranding was alleged for the reason that the package and label of the article bore a statement, design, and device regarding the said article and the ingredients and substances contained therein, to wit, "Castle Haven Brand Tomatoes \* \* \* Contents Weigh 2 Lbs. Our First Quality Carefully Selected Packed for Fine Family Trade Packed by Phillips Packing Co. Cambridge, Md. U. S. A.," which were false and misleading, and misled and deceived the purchaser, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes.

On December 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered providing that the goods might be sold after the same had been relabeled in such manner as to bring the goods into conformity with the law.

E. D. BALL, *Acting Secretary of Agriculture.*

**8926. Misbranding of Dr. Cheeseman's Pills. U. S. \* \* \* v. 9 Packages \* \* \* of Dr. Cheeseman's Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13819. I. S. No. 7835-t. S. No. E-2843.)

On October 28, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of an article, labeled in part "Dr. Cheeseman's Female Regulating Pills," consigned May 3, 1920, by the Kells Co., Newburgh, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in the libel that the product was misbranded for the reason that the label and circular accompanying the same contained statements, designs, and devices regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein, which were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers were led to expect by the following statements, designs, and devices which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof: (Carton) " \* \* \* Female Regulating Pills \* \* \* ;" (small circular, English and German) " \* \* \* Female Regulating Pills. In case of Obstruction of long standing \* \* \* continue \* \* \* until a cure is effected. \* \* \* In recent cases of Obstruction \* \* \* commence by two of these pills at night upon going to bed, continuing them until their end is answered \* \* \* When Obstruction is apprehended \* \* \* seldom fails of restoring nature to its proper channel. In cases of Impotency or Barrenness, Seminal Weakness, Gleet,

Whites, and all diseases arising from a relaxed state of the genital organs, whether the result of disease, injuries or consequences of youthful indiscretion, or indulgence of the passions in riper years, they are equally beneficial \* \* \* A little perseverance in their use seldom fails of effecting a perfect restoration to health \* \* \* obstinate cases of Obstruction \* \* \*;" (large circular) " \* \* \* for the miseries endured by those of our female friends who cannot enjoy the benefits of Regularity. A specific was wanting to cover this ground, and it was found by Dr. C. L. Cheeseman \* \* \* his famous pills for females \* \* \* possess all the safe and certain powers requisite to allay all sufferings connected with the womb and its dependencies, and that it will, if used strictly according to his directions, conquer every disease incidental to the life of every female—whether married or single—whether she has just emerged from her cradle, if a wife or a widow, or is really [ready] to step into a grave on account of old age \* \* \* a specific remedy, and \* \* \* they are the only certain curative known to the world \* \* \* Dr. Cheeseman's pills are designed to check and do away with irregularities. From obstructions of the monthly function a host of the most harrowing troubles arise, not the least of which are constant nausea during the severest period of the infliction, headache of a violent type, extreme and tormenting nervousness, a tendency to apoplexy, increase of bile beyond the natural volume, hysteria, racking pains, giddiness, uncertain state of the urine, corrugated skin, sallow and repulsive complexion, furred tongue and fetid breath, varicose veins, general debility, loss of the hair, decay and aching of the teeth, glandular swellings, spasms, fits, etc., etc. These are but a tithe of the miseries irregularities in the operations of the monthly period are sure to produce in the systems of either the married or the single. There are some who are always afflicted by too heavy a menstrual flow. These persons are always in extreme danger. If these irregularities—whether manifested by obstruction or overflow—are the results of accidental circumstances, or the consequences of constitutional discrepancies or misfortunes—if they are hereditary or of recent date—the ultimate consequences are equally disastrous. The pills of Dr. Cheeseman have always cured every case to which they have been applied. They have never been administered, even where the directions have not been faithfully followed, without at once producing a marked change for the better, and they have invariably triumphed, notwithstanding the extremest obstinacy of the affliction \* \* \* His pills are designed for the obviation of the fatal consequences (either direct or remote) of the suppression, or too great activity of menstruation. They are meant to be the sure guide to Menstrual Regularity. With this, a woman, whether young or old, married or single, can always be positive of the possession of sound general health, and can laugh to scorn the ailments to which ignorant and indolent invalids chain themselves, like Ixion to the wheel; or Prometheus to the rock. Procure regularity, and you have, ladies, good health in all its delightful phases. Irregularity of the monthly period is a disease more destructive of the health, happiness and beauty of the female than any other. If it leads to the whites, you suffer everything a little short of death, and eventually it comes to that \* \* \* Dr. C. L. Cheeseman's pills for females have so often eradicated this dreadful scourge in a few days, and so many records exist of their infallibility in that particular, that it seems nearly useless to proclaim the news \* \* \* Dr. Cheeseman's pills \* \* \* restore the female to complete health \* \* \* 'Dr. Cheeseman's Pills for Females' are designed as a panacea \* \* \* After having been cured by a limited course of these pills, it is the easiest thing possible to keep regular. It is then that one or two of the pills will destroy the slightest tendency to a return of the old symptoms. Annexed are a few jottings expressive of the good these

pills have done with the severest and most desperate cases of illness arising from a disorganization of the procreative organs and dependent functions in females. A lady in New Orleans, aged 31, had been afflicted with occasional obstructions for more than 12 years \* \* \* Three boxes of C. L. Cheeseman's pills restored her to health \* \* \* 'All of my acquaintances are more or less afflicted by those obstructions which form the curse of both married and single life. I have recently been troubled in the same way. My acquaintances said that your pills formed the only medicine which could cure me.' \* \* \* nothing \* \* \* equal to Dr. Cheeseman's pills \* \* \* 'They are \* \* \* efficient.' \* \* \* Two ladies in Detroit, Michigan, \* \* \* were constitutionally afflicted by obstructions \* \* \* Dr. Cheeseman's pills cured them \* \* \* irregularity \* \* \* Cured in six weeks. A girl \* \* \* was treated four years for epilepsy. An aunt \* \* \* discovered that the reason of her having epilepsy was obstruction. \* \* \* She recommended the use of his pills \* \* \* The girl has never had an attack since. A widow lady of Montreal, Canada, was reduced to the verge of the grave by a total stoppage of the period \* \* \* The first box cured her \* \* \* induce with certainty periodical regularity."

On November 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8927. Misbranding of Meritol Compound Antiseptic Powder. U. S. v. \* \* \***  
**1½ Dozen \* \* \* of Meritol Compound Antiseptic Powder. De-**  
**fault decree of condemnation, forfeiture, and destruction. (F. &**  
**D. No. 13823. I. S. No. 397-t. S. No. C-2493.)**

On October 28, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen packages of Meritol Compound Antiseptic Powder, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about June 2, 1920, by the American Drug & Press Assn., Decorah, Iowa, and transported from the State of Iowa into the State of Nebraska, and charging misbranding, in violation of the Food and Drugs Act, as amended. The article was labeled in part, " \* \* \* For \* \* \* Sore Throat, Catarrh, Piles \* \* \* and for the treatment of Leucorrhœa, Gonorrhœa \* \* \* Vaginitis, Ulceration of the Mucous Membrane and Abnormal Discharges \* \* \* Catarrh and Sore Throat \* \* \* Piles \* \* \* Leucorrhœa, Gonorrhœa \* \* \* Vaginitis, Ulceration of the Mucous Membrane and Abnormal Discharges \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a powder composed essentially of boric acid, zinc sulphate, and small amounts of salicylic acid and phenol.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effect thereof, were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8928. Adulteration and misbranding of whole ground feed barley. U. S. \* \* \* v. 600 Sacks of Alleged Whole Ground Feed Barley. Consent decree providing for release of goods on bond. (F. & D. No. 13981. I. S. No. 3438-t. S. No. C-2601.)**

On December 1, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 sacks of alleged whole ground feed barley, at Griffith, Ind., alleging that the article had been shipped by the Osceola Mill & Elevator Co., Minneapolis, Minn., on or about November 17, 1920, and was being transported from the State of Minnesota into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Whole Ground Feed Barley \* \* \* Not to exceed Country Run Screenings Manufactured by Osceola Mill and Elevator Co., Minneapolis, Minn., U. S. A."

Adulteration of the article was alleged in the libel for the reason that a mixture of ground barley with ground barley hulls, scourings, pearlings, chaff, and other worthless materials had been mixed and packed therewith so as to injuriously affect its quality and strength, and had been substituted in part for the article, and for the further reason that the product, which was a mixture of ground barley with ground barley hulls, scourings, pearlings, chaff, and other worthless materials, had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the marks and brands consisting of the above-quoted statements, which were stenciled upon each of the 600 sacks, with respect to the ingredients and substances contained therein, were false and fraudulent and misleading, and deceived and misled the purchaser in that the product was a mixture of ground barley, ground barley hulls, scourings, pearlings, chaff, and other worthless materials. Misbranding was alleged for the further reason that the above-quoted statements were false and fraudulent and misleading in that the product was an imitation of, and was offered for sale under the distinctive name of, another product.

Thereafter, at the November term of said District Court of the United States, the said Osceola Mill & Elevator Co., claimant, having admitted the allegations of the libel and having filed a good and sufficient bond, in conformity with section 10 of the act, and having paid the costs of the proceedings, it was ordered by the court that the product be delivered to said claimant.

*E. D. BALL, Acting Secretary of Agriculture.*

**8929. Adulteration and misbranding of nonalcoholic beverages. U. S. \* \* \* v. 2 Kegs \* \* \* of Nonalcoholic Beverages Labeled in Part, "Nonalcoholic Artificial Flavor and Color (Blackberry Cordial) (Cherry Cordial) Flavor Sweetened with Saccharine." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13975. I. S. Nos. 8440-t, 8441-t. S. No. E-2898.)**

On November 29, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 kegs of nonalcoholic beverages, labeled in part "Non-alcoholic Artificial Flavor and Color Blackberry Cordial (Cherry Cordial) Flavor sweetened with saccharine \* \* \* Red Cross Mfg. Co. St. Louis, Mo.," remaining in the original unbroken packages at Colgate, Md., alleging that the article had been shipped by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that saccharin had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, saccharin, which might render the article injurious to health, and for the further reason that said article was colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the package or label of the article bore statements, designs, or devices regarding the article or the ingredients and substances contained therein, to wit, "Non-alcoholic Artificial Flavor and Color Blackberry Cordial" (or "Cherry Cordial") "Flavor sweetened with saccharine \* \* \* guarantee \* \* \*," which were false and misleading, and deceived and misled the purchaser. Misbranding was alleged for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On January 5, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S930. Adulteration of sage. U. S. \* \* \* v. 2 Casks and 1 Case of Sage. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9694. I. S. No. 7002-r. S. No. C-1061.)

On February 11, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 casks, one containing 200 pounds and the other containing 201 pounds, and one case containing 255 pounds, of alleged sage, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about January 15, 1919, by J. K. Laudenslager, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The product was labeled, "Domestic Sage with Stems. Edward Westen Tea & Spice Co. St. Louis, Mo.," and was originally shipped by the Edward Westen Tea & Spice Co. to J. K. Laudenslager, who returned it to the manufacturer.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in large part of a filthy, decomposed, and putrid vegetable substance. It was further alleged in substance that the article consisted in whole or in large part of sage stems and clay.

On January 5, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S931. Adulteration of Chili peppers. U. S. \* \* \* v. 83 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9833. I. S. No. 6697-r. S. No. C-1095.)

On March 5, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 83 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by J. A. Knapp, Garden Grove, Calif., on or about January 24, 1919,

and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1919, the C. F. Blanke Tea & Coffee Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and consented to a decree, it was found by the court that the product was adulterated as alleged in the libel, and the said claimant having filed a good and sufficient bond, in conformity with section 10 of the act, it was ordered by the court that the product might be delivered to said claimant upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**S932. Adulteration of tomato purée. U. S. \* \* \* v. 1,400 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10585, I. S. No. 8830-r. S. No. C-1280.)**

On June 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,400 cases of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Morgantown Packing Co., Portland, Ind., on or about November 25, 1918, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "True Value Brand Tomato Purée Packed by The Morgantown Packing Co. Morgantown, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S933. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 3 Cans \* \* \* of a Product Purporting to be Oil of Birch. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 11861, I. S. No. 13997-r. S. No. E-1917.)**

On December 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cans of a product purporting to be oil of birch, labeled in part, "From Z. B. Buchanan (incorporated)," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on December 16, 1919, by Z. B. Buchanan, Hickory, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity

as determined by the test laid down in said Pharmacopœia, and its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate derived from a source other than birch, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oil of birch.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of birch, and, considered as a food, for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch.

On October 29, 1920, the said Z. B. Buchanan, Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8934. Misbranding of Kellogg's Sanitone Wafers. U. S. \* \* \* v. 2 Dozen Boxes of Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13340. I. S. No. 4219-t. S. No. C-2108.)**

On August 16, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes of Kellogg's Sanitone Wafers, at Memphis, Tenn., alleging that the article had been shipped on or about August 1, 1920, by F. J. Kellogg, Battle Creek, Mich., and transported from the State of Michigan into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The boxes containing the article were labeled and marked as follows: "Kellogg's Sanitone Wafers \* \* \* used \* \* \* in \* \* \* treatment of cystitis, \* \* \* prostatic enlargements, uterine fibroid tumors \* \* \* Herpes preputialis \* \* \* Cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting \* \* \* vomiting in pregnancy, neurasthenia, locomotor ataxia, exophthalmic goiter \* \* \* locomotor ataxia are of particular interest and importance. Results from this salt (chromium sulphate) are speedy and striking. In \* \* \* neurasthenia it deserves the unique position of being the only drug which is curative \* \* \* Locomotor ataxia is curable with chromium sulphate \* \* \* the wafers have chromium sulphate as their chief ingredient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of salts of iron and chromium, a laxative plant drug, capsicum, and a trace of strychnine.

It was alleged in substance in the libel that the above-quoted statements regarding the curative and therapeutic effects of the article were false and fraudulent, and calculated to mislead and deceive the purchaser thereof, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 8, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8935. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. \* \* \* v. 9**  
**Packages of \* \* \* Dr. A. W. Chase's Nerve Pills. Default decree**  
**of condemnation, forfeiture, and destruction. (F. & D. No. 13431.**  
**I. S. No. 8229-t. S. No. E-2540.)**

On August 19, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of Dr. A. W. Chase's Nerve Pills, shipped on or about April 22, 1920, and remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes, ferrous carbonate, manganese, arsenic, and strychnine.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effects thereof, (box) "Builds up the System Cures \* \* \* Nervous Prostration \* \* \* Nervous Headache \* \* \* Female Trouble \* \* \* Heart Failure Dizziness & Fainting Sleeplessness and General Weakness," (circular) "Hysteria, Hystero-epilepsy, Epilepsy, St. Vitus dance, Paralysis, Locomotor-Ataxia, Insanity \* \* \* await \* \* \* the chance to enter. The Cure Is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking the very essence of existence, the active principle of life—Nerve Force. \* \* \* Sexual Wrecks \* \* \* in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures \* \* \* re-invigorates, by re-supplying the very essential of health, Nerve force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself, and takes its place as capable as ever of carrying out its work. \* \* \* Occasional Irregularity \* \* \* Or \* \* \* slight and fearfully painful menstruation \* \* \* the absence of a healthy flow \* \* \* a complete relaxation and loss of power upon the part of the uterine organs \* \* \* It is in such cases as these \* \* \* that \* \* \* Nerve Pills show their sterling qualities \* \* \* by re-supplying the element lacking. Nerve Force \* \* \* Sterility \* \* \* The \* \* \* use of \* \* \* Nerve Pills always results in an awakening and return of power to those organs \* \* \* Girlhood to Womanhood \* \* \* Nerve Pills \* \* \* by their ability to supply a world of nerve force and physical energy, and to manufacture the richest quality of blood, makes the passage \* \* \* easy and safe \* \* \* Feeble Little Ones \* \* \* due to \* \* \* Diphtheria, Measles, Scarlet Fever, etc. \* \* \* Nothing could reach \* \* \* in a more rapid or happy manner than do \* \* \* Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating \* \* \* a true tonic \* \* \* results once obtained are doubly certain and lasting \* \* \* This is the only medicine that cures by rebuilding, re-invigorating, and re-supplying what is lacking—good blood and nerve force," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8936. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 18 Dozen Packages and 83 Packages of Hooper's Female Pills.** (F. & D. Nos. 13525, 13587. I. S. Nos. 5132-t, 5133-t, 5134-t, 5111-t, 5112-t. S. Nos. E-2680, E-2613.)

On August 26, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 18 dozen packages and 83 packages of Hooper's Female Pills, consigned by the Horace B. Taylor Co., Philadelphia, Pa., about March 3 and July 13, 1920, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped and transported from the State of Pennsylvania into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Hooper's Female Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular and wrapper) "Female Pills \* \* \* a safe and sovereign remedy in female complaints, \* \* \* an Emmenagogue in producing Menstruation \* \* \* for the removal of irregularities \* \* \* are used (except in cases of Pregnancy);" (wrapper) "Opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the Female Sex are subject to \* \* \* cleanse, purify, and cause a free circulation of the blood \* \* \* open those obstructions which Virgins are liable to \* \* \* best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at \* \* \* age \* \* \* forty-five \* \* \* to prevent those disorders that usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, or vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of \* \* \* courses \* \* \* continue their use until the end is answered."

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8937. Misbranding of Nerv-Mintz. U. S. \* \* \* v. 3 Dozen Packages and 31 Packages of \* \* \* Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13596, 13597. I. S. Nos. 8231-t, 8614-t. S. Nos. E-2589, E-2628.)

On August 25, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen packages and 31 packages of Nerv-Mintz, remaining in the original unbroken packages at Baltimore, Md., shipped by parcel post on or about August 3, 1920, and June 11, 1920, alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., and transported from the State of West Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

It was alleged in substance in the libels that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect of said article, (box) "Nerv-Mintz, Nerve and Energy Tablets, especially a nerve strengthener \* \* \* soothe and quiet the nerves \* \* \* used for the relief of nervousness, loss of vigor, energy, and ambition, lack of confidence, sleeplessness, trembling, nervelessness, shifty gait, shattered nerves, exhausted or weakened vitality, mental depression, numbness, weakening habits \* \* \* and all overworked and unstrung nerves, induced by fast living and other excesses \* \* \* useful in the treatment of nervous conditions which follow too strenuous living, mental and physical fatigue, and other excesses," (circular) "Nerv-Mintz for Nervous Debility \* \* \* exceptionally efficient in the treatment of nervousness, loss of vigor, energy, and ambition, lack of confidence, sleeplessness, shifty gait, shattered nerves, weakened or exhausted vitality, mental or physical depression, weakening habits, \* \* \* and for all overworked and unstrung nerves induced by fast living and other excesses \* \* \* to all those who \* \* \* suffer from the effects of fast living, overwork and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick \* \* \* Keep up the treatment \* \* \*," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 29, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

5938. **Adulteration and misbranding of nonalcoholic beverages. U. S.**  
 \* \* \* v. **2 Kegs of Nonalcoholic Beverages, One Purporting to be**  
**Port Hot Cordial Flavor and the Other Blackberry Cordial Flavor**  
 \* \* \*. **Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13847. I. S. No. 84312-t. S. No. E-2861.)

On November 4, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 kegs of nonalcoholic beverages, one purporting to be port hot cordial flavor and the other blackberry cordial flavor, being labeled in part, "Non-alcoholic Artificial Flavor and Color Port Hot Cordial Flavor" (or "Blackberry Cordial Flavor") "sweetened with saccharine \* \* \* Arlette Fruit Products Co., St. Louis, Mo." remaining in the original unbroken packages at Bel Air, Md., alleging that the article had been shipped by the Arlette Fruit Products Co., St. Louis, Mo., and transported from the State of Missouri into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance which has no food value, to wit, saccharin, had been mixed and packed with, and substituted wholly or in part for, said articles. Adulteration was alleged for the further reason that said articles contained an added poisonous and deleterious ingredient, saccharin, which might render the same injurious to health.

Misbranding was alleged for the reason that the package or label of the articles bore the statements regarding said articles or the ingredients or sub-

stances contained therein, to wit, "Non-alcoholic Port Hot Cordial Flavor," or "Non-alcoholic Blackberry Cordial Flavor," which were false and misleading and deceived the purchaser. Misbranding was alleged for the further reason that the article in each case was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8939. Adulteration and misbranding of flour. U. S. \* \* \* v. 1,302 Sacks of Sir Walter Fancy Hard Wheat Patent Flour. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 13972. I. S. Nos. 7612-t, 7613-t, 7614-t. S. No. E-2899.)

On November 29, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,302 sacks of Sir Walter Fancy Hard Wheat Patent Flour, so called, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Dillsburg Grain & Milling Co., Dillsburg, Pa., and delivered for shipment to a foreign country, alleging that the article had been shipped, by said company to Philadelphia, Pa., on or about October 18, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for the article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby its damage and inferiority were concealed.

It was alleged in substance in the libel that the article was misbranded in that the retail packages in which the same was inclosed contained labels which bore the following statements, designs, and devices, regarding the said article and the ingredients and substances contained therein, "D. G. M. 140 lbs. Sir Walter Fancy Hard Wheat Patent Flour," which were false and misleading in that they indicated to the purchaser that the package contained, when, in fact, it did not contain, 140 pounds of the article, but contained a less amount. It was alleged that the article was further misbranded in that the same was in fact prepared from soft winter wheat, whereas the label read "Sir Walter Fancy Hard Wheat Patent Flour." It was alleged that the article was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article, and further in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On January 7, 1921, the Atlantic Seaboard Flour Mills Co., Philadelphia, Pa., claimant, having filed its answer admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8940. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 1,255 Dozen Packages of Bliss Native Herbs. Consent decree of misbranding. Product released on bond. (F. & D. Nos. 11321, 11322, 11323, 11324. I. S. Nos. 2660-r, 2661-r, 2662-r. S. No. W-495.)**

On September 26, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on or about October 4, 1919, an amended libel, for the seizure and condemnation of 1,255 dozen packages of Bliss Native Herbs, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Alonzo O. Bliss Medical Co., January 13, January 20, January 29, February 5, February 17, February 21, March 3, March 7, March 21, March 26, March 28, April 2, April 4, April 9, April 11, April 16, April 18, April 25, and April 30, 1919, respectively, and transported from the District of Columbia into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, licorice, buchu, uva ursi, a pungent drug such as capsicum, and a resin-bearing drug.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that certain statements appearing on the cartons and in the circulars accompanying it falsely and fraudulently represented it to be effective for indigestion, dyspepsia, auto-intoxication, sick and nervous headache, kidney and liver derangements, loss of appetite, blood impurities, to restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication, to successfully adjust bowel troubles, for intestinal indigestion, sciatica, lumbago, acute and chronic rheumatic pains, enlargement of joints, to correct the blood and dissolve acids that accumulate in the system, for kidney and bladder trouble and chronic liver ailments, to regulate the stomach and bowels and to purify the blood, for grippe, to stimulate the blood and aid in benefiting many of the bodily organs and to heal the afflicted or diseased parts reached through the blood, to remove the cause of and to cure piles, for malaria, chills and fever and asthma, to free one from liver or stomach trouble and, as guaranteed, to be effective in catarrh, whereas the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 22, 1919, the Alonzo O. Bliss Medical Co., Washington, D. C., having consented to a decree, judgment of misbranding was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8941. Adulteration and misbranding of butter. U. S. \* \* \* v. 17 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond for re-working. (F. & D. No. 11892. I. S. No. 14122-r. S. No. E-1938.)**

On January 26, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 tubs of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on

or about November 24, 1919, by the North American Creamery Co., Boston, Mass., and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said product. Adulteration was alleged for the further reason that a valuable constituent, to wit, milk fat, had been in part abstracted from said butter.

Misbranding was alleged for the reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On January 11, 1921, the said North American Creamery Co., having admitted the truth of the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant for re-working, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8942. Misbranding of Stopsit. U. S. \* \* \* v. 24 Bottles and 36 Bottles of Stopsit. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12970, 13072. I. S. Nos. 9138-r, 9139-r. S. Nos. C-1998, C-2057.)

On or about June 26 and on July 28, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 24 bottles and 36 bottles of Stopsit, at Chicago, Ill., alleging that the article had been shipped by O. K. Horner, Brazil, Ind., April 17 and January 28, 1920, respectively, and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, a dilute aqueous solution of berberine sulphate, and a powder composed of potassium permanganate and potassium sulphate.

It was alleged in substance in the libels that the article was misbranded in that certain statements regarding the curative or therapeutic effect thereof, (carton) "O. K. Horner's Stopsit \* \* \* Never known to stricture \* \* \* safe sure and speedy \* \* \* remedy, for Gonorrhœa and gleet \* \* \* remedy is for venereal diseases of men and women \* \* \*," (shipping container) "\* \* \* injection for gonorrhœa or gleet \* \* \*," (bottle) "\* \* \* injection for Gonorrhœa and Gleet for Leucorrhœa or whites \* \* \*," (circular) "\* \* \* Trouble with the prostate gland \* \* \* Rheumatic Trouble \* \* \* Trouble of any kind \* \* \*," falsely and fraudulently represented it to be effective as a remedy for the several diseases, ailments, and afflictions mentioned upon the container, carton, and bottles and in the circulars aforesaid, when, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S943. Misbranding of Chase's Nerve Pills. U. S. \* \* \* v. 10 Packages \* \* \* of Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13399. I. S. No. 3843-t. S. No. C-2298.)

On August 18, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages of Dr. A. W. Chase's Nerve Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., on or about June 15, 1920, and transported from the State of New York into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Dr. A. W. Chase's Nerve Pills. Used in the Treatment of \* \* \* Nervous Prostration \* \* \* Nervous Headache Nervous Dyspepsia \* \* \* Irregular Heart Action Dizziness & Fainting Sleeplessness;" (circular) "Nerve pills impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression \* \* \* sleeplessness \* \* \* asthma, lack of energy, ambition and nerve \* \* \* paralysis, and locomotor ataxia \* \* \*, diseased blood \* \* \* female troubles, leucorrhea (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all disease of the brain and nerves \* \* \* On account of their extraordinary restorative influence and \* \* \* action on the system \* \* \* Nerve Pills are especially suited to the needs of children \* \* \* week and puny boys and girls become strong, healthy and robust \* \* \* nourish the blood \* \* \* nerves \* \* \* nourish the weakened and exhausted nervous system back to health and strength \* \* \* through the nerve fibres \* \* \* send new vitality through the whole human system \* \* \* nerves \* \* \* must be completely restored by such nourishment as can best be supplied by \* \* \* Nerve Pills, the great restorative \* \* \* loss of sensation in the hands, partial loss of memory \* \* \* dizziness and uncertainty in walking \* \* \* should be treated \* \* \* while there is hope of complete recovery \* \* \* Nerve pills \* \* \* restore the wasted nerve force \* \* \* by strengthening the nerves give them full control of the female organs \* \* \* no preparation known \* \* \* will more quickly create new, rich blood than \* \* \* Nerve Pills \* \* \* contain the life-giving principles that entitle the blood to be called the 'vital fluid' \* \* \* make pale weak men and women strong and healthy \* \* \* give to the thin and emaciated a well rounded form which tells of a steady advance in health."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes, ferrous carbonate, manganese, arsenic, and strychnine.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On September 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8944. Misbranding of Mott's Compound Female Pills. U. S. \* \* \* v. 12 Packages \* \* \* of Mott's Compound Female Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13457. I. S. No. 10211-t. S. No. W-679.)

On September 3, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Mott's Compound Female Pills, consigned by the Williams Mfg. Co., Cleveland, Ohio, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about November 1, 1919, and transported from the State of Ohio into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Mott's Compound Female Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills were composed essentially of aloes, ferrous sulphate, and cantharides.

It was alleged in substance in the libel that the article was misbranded for the reason that the label thereof and the circular accompanying the same bore the following statements regarding the curative and therapeutic effects of said article, "Female Pills for irregularity, suppression, painful menstruation, Leucorrhœa and Whites. They restore the menstrual flow \* \* \* In cases of Leucorrhœa (the whites), Amenorrhœa (suppressed menses), Menorrhagia (immoderate flow of the menses), Dysmenorrhœa (painful menstruation) and \* \* \* Nervous and Spinal Affections, Pains in the Back and lower parts of the body, Heaviness, Fatigue on Slight Exertion, Palpitation of the Heart, Lowness of Spirits, Hysteria, Sick Headache, Giddiness, and all the \* \* \* complaints produced by a disordered system \* \* \* In Prolapsus Uteri or Uterine Weakness," which statements aforesaid were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and was not a cure or remedy for any one of the diseases mentioned.

On October 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8945. Misbranding of Prince's Pills. U. S. \* \* \* v. 16 Packages \* \* \* of Prince's Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13591. I. S. No. 492-t. S. No. C-2366.)

On or about August 25, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 packages of Prince's Pills, at Toledo, Ohio, alleging that the article had been shipped by the Boston Drug & Chemical Co., Boston, Mass., on or about July 24, 1920, and transported from the State of Massachusetts into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The circular accompanying the article contained the following statements: "\* \* \* Medicine for Functional Derangements of \* \* \* Female Reproductive Organism \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, Menorrhagia, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act \* \* \* on the female reproductive organs and imparts to them the proper functional action \* \* \*

of particular value in the treatment of menstrual irregularities \* \* \* which fail to respond to other and ordinary medical remedies \* \* \* in some instances the pills are more effective if taken about the regular time for the menstrual flow \* \* \* more satisfactory results are secured, as a rule, by beginning treatment at once, and continuing it until the pills give relief \* \* \* to re-establish the menstrual flow at the regular period \* \* \* For Amenorrhoea. (Suppression of the Menses) \* \* \* For Dysmenorrhoea (Painful or Scanty Menstruation) \* \* \* pain \* \* \* may be \* \* \* agonizing \* \* \* In such cases Prince's Pills are recommended \* \* \* Begin \* \* \* before the expected re-appearance of the menstrual flow \* \* \* To keep this important function normal, and to prevent difficult, painful and other morbid menstrual conditions, take \* \* \* a few days before the expected re-appearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes, ferrous sulphate, and ginger.

It was alleged in the libel that the article was misbranded for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 20, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8946. Misbranding of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiole Tablets.** U. S. \* \* \* v. 293 Boxes of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiole Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13598, 13599, 13600, 13601. I. S. Nos. 5341-t, 5343-t, 5140-t, 5351-t. S. Nos. E-2685, E-2687, E-2688, E-2689.)

On September 2, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 293 boxes of an article, labeled in part "Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiole Tablets," consigned by Robert J. Pierce, New York, N. Y., between February 17, 1920, and July 20, 1920, remaining unsold in the original unbroken packages at Boston and Worcester, Mass., alleging that the article had been shipped and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, oil of pennyroyal, and unidentified plant extractives.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements, regarding the curative and therapeutic effect thereof, (box) "Tansy, Cotton Root, Pennyroyal and Apiole Tablets. A safe emmenagogue. Always reliable and effective. The best known remedy for the suppression of the menstrual function," (circular) "Tansy, Cotton Root, Pennyroyal and Apiole Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one 3 times daily \* \* \* follow instructions until the desired result is obtained

\* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8947. Misbranding of Robert J. Pierce's Pennyroyal Tablets. U. S. \* \* \* v. 133 Boxes of Robert J. Pierce's Pennyroyal Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13602, 13603, 13604, 13605. I. S. Nos. 5342-t, 5340-t, 5141-t, 5354-t. S. Nos. E-2690, E-2691, E-2692, E-2693.)

On September 2, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 133 boxes of Robert J. Pierce's Pennyroyal Tablets, consigned by Robert J. Pierce, Inc., New York, N. Y., between September 10, 1919, and June 10, 1920, remaining unsold in the original unbroken packages at Boston and Worcester, Mass., alleging that the article had been shipped and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Robert J. Pierce's Pennyroyal Tablets."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of plant extractives including tansy, ferrous sulphate, and aloes.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements, regarding the curative and therapeutic effect thereof, (box) "The most powerful and reliable emmenagogue known. The only safe, sure and always effectual remedy in suppression (stoppage) of the menstrual function," (circular) "The Celebrated Female Regulator \* \* \* active treatment should begin four or five days before the expected reappearance of the menstrual flow. Take one three times daily \* \* \* follow instructions until the desired result is obtained \* \* \* Emmenagogue medicine They have invariably proved successful as a preventive of irregularities. Take one three times daily. They can always be depended upon as a monthly regulator," were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 12, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8948. Adulteration and misbranding of horseradish style prepared mustard. U. S. \* \* \* v. 5 Barrels \* \* \* of Horseradish Style Prepared Mustard. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13606. I. S. No. 9719-r. S. No. C-2401.)

On September 10, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of horseradish style prepared mustard, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had

been shipped on or about May 18, 1920, by Plochman & Witt, Chicago, Ill., and transported from the State of Illinois into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Plochman & Witt, Chicago, Horseradish Style Prepared Mustard Colored with Turmeric Fifty-one Gals."

Adulteration of the article was alleged in the libel for the reason that mustard bran and charlock had been mixed and packed therewith so as to reduce, lower, and injuriously affect the quality and strength of the article, and had been substituted wholly or in part for said article, and for the further reason that the article had been mixed with turmeric in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement "Horseradish Style Prepared Mustard" was false and misleading, and deceived and misled purchasers into the belief that it was [horseradish style] prepared [mustard] when, in fact, it was not.

On December 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**\$949. Misbranding of Lozon Pills. U. S. \* \* \* v. 54 Packages of Lozon Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13620. I. S. No. 5349-t. S. No. 2710.)

On September 3, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 54 packages of Lozon Pills, consigned by the Lafayette Co., Berlin, N. H., on April 24 and April 28, 1920, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Lozon Pills."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous carbonate, nuxvomica, damiana, arsenic, and a laxative plant drug.

It was alleged in substance in the libel of information that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect thereof, (box, English) "Restores Vitality to weak men, whether lost by \* \* \* excesses of any kind \* \* \* will \* \* \* tone up weak men," (French) "Gives a youthful ardor," (wrapper, English and French) "For Men's Health \* \* \* will \* \* \* tone up weak men \* \* \* No cure no pay," (circular, English) " \* \* \* give new life \* \* \* recommended for young \* \* \* middle age and old men \* \* \* troubles \* \* \* often caused by \* \* \* abuses and bad habits so common among men and boys," (French) "To give vitality and new energy," (both languages) "Dyspepsia Kidney Troubles Rheumatism Affections of the Nerves," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 23, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8950. Misbranding of Black Caps. U. S. \* \* \* v. 130 Boxes and 42 Boxes of Black Caps. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 10809, 10810. L. S. Nos. 6996-r, 6989-r, S. Nos. C-1342, C-1345.)

On July 3, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 130 boxes and 42 boxes of an article of drugs, labeled in part "Black Caps," remaining unsold in the original packages at Saginaw and Bay City, Mich., respectively, alleging that the article had been shipped by the Safety Remedy Co., Canton, Ohio, and transported from the State of Ohio into the State of Michigan, being received by consignee on or about August 1, 1918, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of powdered cubebs, copaiba balsam, and unidentified plant extractives.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing on the boxes containing the article and in the circular contained in said boxes, regarding the curative and therapeutic effects of said drugs, falsely and fraudulently represented the article to be effective for the treatment of gonorrhea, urethritis, cystitis, and other inflammatory conditions of the urinary tract, inflammatory affections of the genito-urinary organs, in the relief of inflamed or irritated condition of the passages through the medication of the exposed mucous surfaces, and in the treatment of specific urethritis, chronic cystitis (inflammation of the bladder), chronic pyelitis, and atonic impotence, whereas said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 28, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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Blackberry cordial. <i>See</i> Cordial.		King's Star Crown Brand Pills:	
Black Caps:		Northern Drug Co.-----	8920
Safety Remedy Co.-----	8950	Leslie's Emmenagogue Pills:	
Bliss Native Herbs:		Palestine Drug Co.-----	8908
Bliss, Alonzo O., Medical		Lozon Pills:	
Co.-----	8940	Lafayette Co.-----	8919, 8922, 8949
Butter:		Marshmallow creme:	
Dixie Butter Co.-----	8924	American Marshmallow &	
North American Creamery		Candy Co.-----	8915
Co.-----	8941	Meritol Antiseptic Powder:	
Canned tomatoes. <i>See</i> Tomatoes.		American Drug & Press	
Chase's Nerve Pills:		Assn.-----	8927
Chase, Dr. A. W., Medicine		Mott's Female Pills:	
Co.-----	8935, 8943	Williams Mfg. Co.-----	8944
Cheeseman's Pills:		Mustard, prepared:	
Kells Co.-----	8926	Plochman & Witt.-----	8948
Cherry cordial. <i>See</i> Cordial.		Nerv-Mintz:	
Chili peppers. <i>See</i> Peppers.		Earle Chemical Co.-----	8913, 8937
Cordial, blackberry:		Nerve pills. <i>See</i> Pills.	
Arlette Fruit Products Co.-----	8938	Oil, birch:	
Red Cross Mfg. Co.-----	8929	Buchanan, Z. B.-----	8933
cherry:		Orange crush:	
Red Cross Mfg. Co.-----	8929	Buchanan, Z. B.-----	8933
port:		Orange Crush Co.-----	8903
Arlette Fruit Products Co.-----	8938	Pennyroyal and apiol, tansy, cotton	
Cotton root, pennyroyal, tansy, and		root. <i>See</i> Tablets.	
apiol. <i>See</i> Tablets.		Peppers, Chili:	
Dean, Madame, Female Pills:		Knapp, J. A.-----	8931
Rudy, Martin.-----	8909, 8916, 8917	Pierce's Empress Brand Tablets:	
Emmenagogue pills. <i>See</i> Pills.		Pierce, Robert J.-----	8907,
Empress Brand Tablets:		8911, 8912, 8946, 8947	
Pierce, Robert J.-----	8907,	Pills, Arthur's Emmenagogue:	
8911, 8912, 8946, 8947		Palestine Drug Co.-----	8908
Feed, barley:		Cheeseman's:	
Osceola Mill & Elevator		Kells Co.-----	8926
Co.-----	8928	Dean, Madame, female:	
Female pills. <i>See</i> Pills.		Rudy, Martin.-----	8909, 8916, 8917
Flour:		emmenagogue:	
Dillsburg Grain & Milling		Palestine Drug Co.-----	8908
Co.-----	8939	female:	
G Zit:		Rudy, Martin.-----	8909, 8916, 8917
Stearns-Hollinshead Co.-----	8901	Taylor, H. B., Co.-----	8914, 8936
Gold Medal Compound Pills:		Williams Mfg. Co.-----	8944
Ashland Supply House.-----	8918	Gold Medal Compound:	
Hall's Texas Wonder. <i>See</i> Texas		Ashland Supply House.-----	8918
Wonder.		Hooper's female:	
		Taylor, H. B., Co.-----	8914, 8936

	N. J. No.		N. J. No.
Pills—Continued.		Sage:	
King's Star Crown Brand:		Laudenslager, J. K.-----	8930
Northern Drug Co.-----	8920	Sanitone wafers:	
Leslie's Emmenagogue:		Kellogg, F. J.-----	8934
Palestine Drug Co.-----	8908	Silverstone's Remedy:	
Lozon:		Planten, H., & Son-----	8902
Lafayette Co. ---	8919, 8922, 8949	Sirop D'Anis:	
Mott's Compound Female:		Gauvin, J. A. E.-----	8906
Williams Mfg. Co.-----	8944	Stopsit:	
nerve:		Horner, O. K.-----	8942
Chase, Dr. A. W., Medicine		Tablets, Bliss native herb:	
Co.-----	8935, 8943	Bliss, Alonzo O., Medical	
Porose:		Co.-----	8940
Lafayette Co.-----	8919, 8921	nerve:	
Prince's:		Earle Chemical Co.-----	8913, 8937
Boston Drug & Chemical		tansy, cotton root, pennyroyal,	
Co.-----	8945	and apiol:	
Porose Pills:		Pierce, Robert J.-----	8907,
Lafayette Co.-----	8919, 8921	8911, 8912, 8946, 8947	
Port cordial. <i>See</i> Cordial.		Tansy, cotton root, pennyroyal, and	
Powder, antiseptic:		apiol. <i>See</i> Tablets.	
American Drug & Press		Texas Wonder:	
Assn.-----	8927	Hall, E. W.-----	8905, 8910
Prince's Pills:		Tomato purée:	
Boston Drug & Chemical		Morgantown Packing Co.---	8932
Co.-----	8945	Tomatoes, canned:	
Purée. <i>See</i> Tomato purée.		Phillips Packing Co.-----	8925
Remedy, Silverstone's:			
Planten, H., & Son.-----	8902		



# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 8951—9000.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8951. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 10 Cases \* \* \* of Alleged Olive Oil. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10848. I. S. No. 2192-r. S. No. W-435.)**

On July 17, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases, each containing 10 1-gallon cans of olive oil, remaining unsold in the original unbroken packages at Long Beach, Calif., alleging that the article had been shipped on or about April 13, 1918, by Meyer & Lange, New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Net Contents 1 Gallon Umberto Albertini Brand" (designs of medallions and monogram "U. A.").

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly and in part for, olive oil, so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the cans were labeled as aforesaid, whereas, in truth and in fact, the said cans did not contain "Umberto Albertini Brand," but contained cottonseed oil, and said labeling and branding was calculated to mislead and deceive respective purchasers thereof. Misbranding was alleged for the further reason that the contents of said cans were an imitation of, and were offered for sale under the distinctive name of, another article, to wit, "Umberto Albertini Brand," whereas, in truth and in fact, the article was not "Umberto Albertini Brand," but was cottonseed oil. Misbranding was alleged for the further reason that the article purported to be a foreign product, when not so.

On March 31, 1920, the said Meyer & Lange, claimant, having by its answer admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be surrendered and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$450, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

E. D. BALL, *Acting Secretary of Agriculture.*

8932. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Morrillton Cotton Oil Co. (John J. Scroggin et al.). Pleas of guilty. Fine, \$75 and costs. (F. & D. No. 11214. I. S. Nos. 10835-r, 10844-r.)

On May 6, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John J. Scroggin, William O. Scroggin, James S. Martin, and William P. Bridewell, trading as the Morrillton Cotton Oil Co., Morrillton, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 24, 1918, of a quantity of cottonseed meal, and on or about October 18, 1918, of a quantity of cottonseed cake, which were misbranded. The articles were labeled in part, respectively, "Forfat Brand Cotton Seed Meal" and "Supreme Brand Cotton Seed Cake."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Forfat Brand cottonseed meal contained 37.5 per cent of protein, 14.6 per cent of crude fiber, and was short in weight; and that the Supreme Brand cottonseed cake contained 37.3 per cent of protein, 5.05 per cent of fat, and 14.2 per cent of crude fiber.

Misbranding of the Forfat Brand was alleged in the information for the reason that it was labeled "Protein 38.55%, Crude Fibre 12%, 100 Lbs. Gross, 99 Lbs. Net" so as to deceive and mislead purchasers into the belief that it contained not less than 38.55 per cent of protein, not more than 12 per cent of crude fiber, and that each sack thereof contained not less than 99 pounds net of the article, and for the further reason that the aforesaid statements were false and misleading in that they represented to purchasers that the article contained not less than 38.55 per cent of protein and not more than 12 per cent of crude fiber, and that each sack contained not less than 99 pounds net thereof, whereas, in fact and in truth, the article contained less than 38.55 per cent of protein, more than 12 per cent of crude fiber, and less than 99 pounds net of the article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents of said package was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

Misbranding of the Supreme Brand was alleged for the reason that the statements appearing on the label, to wit, "Protein 38.60%, Fat 6%, Crude Fibre 12%," were false and misleading in that they represented to purchasers thereof that the article contained not less than 38.60 per cent of protein, not less than 6 per cent of fat, and not more than 12 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article contained not less than 38.60 per cent of protein, not less than 6 per cent of fat, and not more than 12 per cent of crude fiber, whereas, in fact and in truth, it contained less than 38.60 per cent of protein, less than 6 per cent of fat, and more than 12 per cent of crude fiber.

On May 25, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8953. Misbranding of Bliss Native Herbs. U. S. \* \* \* v. 11½ Dozen Boxes and 12½ Dozen Boxes of Bliss Native Herbs. Consent decrees of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11293, 11294. I. S. Nos. 17273-r, 17274-r, 17275-r, 17276-r. S. Nos. E-1749, E-1750.)

On or about September 26, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11½ dozen boxes (\$1 size) and 12½ dozen boxes (6¼ dozen, \$1 size, 3¾ dozen, 50-cent size, 1¾ dozen, \$1 size, herb form) of Bliss Native Herbs, remaining in the original unbroken packages at Richmond, Va., alleging that the articles had been shipped

by the Alonzo O. Bliss Medical Co., Washington, D. C., on or about August 25 and July 14, 1919, respectively, and transported from the District of Columbia into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of aloes, uva ursi, buchu, licorice, and a resin-bearing drug.

It was alleged in substance in the libels that the article was misbranded for the reason that certain statements appearing in the labeling, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented the article as effective to prevent the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication, and to adjust bowel troubles, as invaluable for sciatica, lumbago, acute and chronic rheumatic pains, and enlargement of joints, as effective to correct the blood and dissolve acids that accumulate in the system, for dyspepsia, indigestion, inflammation of the bladder, scalding urine and brick-dust sediment, headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition, chronic liver ailments, to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment (catarrh) and also provide the means of carrying it from the system, as guaranteed effective in deep-seated catarrhal affection whether of the head or stomach, for gripe (influenza or epidemic catarrh), as a great blood stimulator, which also aids in benefiting many of the bodily organs and healing the afflicted or diseased parts reached through the blood, to remove impurities of the blood, for constipation, one of the principal causes of piles, for malaria, chills, and fever, to cure piles, rheumatism, and kidney trouble, for rheumatism, kidney or liver trouble, to free one from liver or stomach trouble, and for asthma, when, in truth and in fact, it was not.

On December 4, 1919, the Alonzo O. Bliss Medical Co., Washington, D. C., claimant, having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate amount of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8954. Misbranding of Dr. Harper's Anti-Cholera Tonic for Hogs. U. S. \* \* \* v. 78 Dozen Packages, 153 Dozen Packages, and 85 Dozen Packages of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 11681 to 11786, inclusive. I. S. Nos. 8715-r, 8722-r, 8723-r, 8724-r, 8727-r, 8728-r, 8729-r, 8730-r, 8731-r, 8732-r. S. Nos. C-1564, C-1565, C-1566.)

On or about December 18, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 78 dozen packages, 153 dozen packages, and 85 dozen packages of Dr. Harper's Anti-Cholera Tonic for Hogs, remaining unsold in the original unbroken packages, in the possession of various dealers in Oklahoma, alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., between the dates of June 4 and July 30, 1919, and transported from the State of Tennessee into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture consisting essentially of sodium bicarbonate, sodium sulphate, iron oxid, sulphur, and ground plant material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libels for the reason that the cartons and the circulars inside the cartons contained statements, designs, and

devices regarding the curative and therapeutic effects thereof, to wit, (carton) "Dr. Harper's Anti-Cholera Tonic for Hogs Given to prevent diseases of swine For worms \* \* \* 'How to Prevent Cholera' \* \* \*," (circular) "How to Prevent Hog Cholera \* \* \* About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera \* \* \* in most cases acts as preventive to disease \* \* \* Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 25 and 27, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8955. Misbranding of Lezajskie Lecznice Wino Elixir. U. S. \* \* \* v. Walter Wojtasinski (Wojtasinski Chemical Co.).** Plea of nolo contendere. Fine, \$25. (F. & D. No. 13090. I. S. No. 12898-r.)

On November 8, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Walter Wojtasinski, trading as the Wojtasinski Chemical Co., Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 2, 1919, from the State of Massachusetts into the State of New Hampshire, of a quantity of Wino Elixir which was misbranded. The article was labeled in part, "Lezajskie-Lecznice Wino Elixir \* \* \* Prepared by W. Wojtasinski Chemical Co. 14 Leverett Street, Boston, Mass."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a hydroalcoholic solution containing rhubarb and a trace of cascara.

It was alleged in substance in the information that the article was misbranded in that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all disturbances of the stomach, as lack of appetite, unclean blood, irregular stools, pains and dizziness of the head, and as a purifier of the blood, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement, to wit, "Approved by Federal Government Wash., D. C.," borne on the labels attached to the bottles containing the article, regarding the article, was false and misleading in that it represented that the article was approved by the Federal Government, whereas, in truth and in fact, it was not.

On November 30, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**8956. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 71 Packages of \* \* \* Hooper's Female Pills.** Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13521. I. S. No. 8415-t. S. No. E-2653.)

On August 27, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71 packages, labeled in part "Hooper's Female Pills," shipped on or about August 12, 1920, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Horace B. Taylor, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effect of said article, " \* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing menstruation \* \* \* for the removal of Irregularities \* \* \* are used \* \* \* (except in cases of Pregnancy) \* \* \* Opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the Female Sex are subject to \* \* \* cleanse, purify, and cause a free circulation of the blood \* \* \* open those obstructions which Virgins are liable to \* \* \* best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at \* \* \* age \* \* \* forty-five \* \* \* to prevent those disorders that usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick, or vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of \* \* \* courses \* \* \* continue their use until the end is answered \* \* \*," were false and fraudulent in that the article contained no ingredient or combinations of ingredients capable of producing the effects claimed for it.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8957. Adulteration of eggs. U. S. \* \* \* v. 12 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 13567. I. S. No. 10228-t. S. No. W-641.)

On July 31, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of eggs, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 25, 1920, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "From C. F. Wilkins, Hugoton, Kans."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, decomposed and rotten eggs, and was unfit for food.

On August 30, 1920, C. W. Bedford, Denver, Colo., claimant, having admitted the allegations of the libel and consented to a decree condemning said eggs as adulterated, it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8958. Misbranding of Lewis' Nerve Pills. U. S. \* \* \* v. 20 Packages \* \* \* of Lewis, Nerve Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13585. I. S. No. 10205-t. S. No. W-677.)

On September 2, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 packages of Lewis' Nerve Pills, consigned by the A. H. Lewis Medicine Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Denver, Colo., alleging that

the article had been shipped on or about May 22, 1919, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of an iron salt, strychnine, phosphorus, and unidentified plant extractives.

It was alleged in substance in the libel that the article was misbranded for the reason that the label on each package or box bore the following statements, regarding the curative and therapeutic effects of said pills, "Highly recommended for Nervousness, General Debility, Lack of Energy, Self Distrust, Loss of Memory and Diseases arising from Mental Worry, Overwork, Excesses, etc.," which said statements were false and fraudulent in that the pills contained no ingredients or combination of ingredients capable of producing the effects claimed, and said pills were not a remedy or cure for any of the diseases mentioned.

On October 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8959. Misbranding of Allan's Star Brand Pills. U. S. \* \* \* v. 4 Boxes \* \* \* of Allan's Star Brand Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13757. Inv. No. 23298. S. No. C-2541.)**

On October 14, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes of Allan's Star Brand Pills, at Blytheville, Ark., alleging that the article had been shipped on or about August 5, 1920, by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes, ferrous sulphate, and starch.

It was alleged in substance in the libel that the article was misbranded for the reason that there appeared upon the circular inclosed in each box of the article the following statements regarding the curative and therapeutic effects of the same, "A Good Remedy in Suppressed or Painful Menstruation \* \* \* to bring on the menses \* \* \* immediately preceding the expected appearance of the menstrual flow \* \* \* treatment should begin \* \* \* Take one Pill \* \* \* Continue this treatment \* \* \* until a satisfactory result is secured \* \* \* To Prevent Irregularities Take one Pill \* \* \* four or five days preceding the expected appearance of the menstrual period \* \* \* For Painful Menstruation The same treatment prescribed for suppression," all of which said statements were false and fraudulent for the reason that the pills contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On November 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8960. Adulteration of tomato catsup. U. S. \* \* \* v. 1,549 Cases and 76 Cases \* \* \* of Queen of the Valley Brand Catsup. Product ordered released on bond. (F. & D. Nos. 9399, 9401. I. S. Nos. 6458-r, 6459-r. S. Nos. C-992, C-993.)**

On October 17 and 18, 1918, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of

1,549 cases and 76 cases of Queen of the Valley Brand Catsup, remaining unsold in the original unbroken packages at Lansing, Mich., alleging that the article had been shipped on September 6, 1918, and October 18, 1917, from Shirley, Ind., by the Brooks Tomato Products Co., Collinsville, Ill., and transported from the State of Indiana into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Queen of the Valley Catsup \* \* \*."

Adulteration of the article was alleged in substance in the libels for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On May 19, 1919, the said Brooks Tomato Products Co., claimant, having paid the costs of the proceedings and having tendered bond in the aggregate sum of \$1,000, in conformity with section 10 of the act, it was ordered by the court that the product be released and delivered to said claimant.

E. D. BALL, *Acting Secretary of Agriculture.*

**8961. Misbranding of Pabst's Okay Specific. U. S. \* \* \* v. 11 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9636. I. S. No. 7489-r. S. No. C-1039.)

On January 28, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 1, 1919, an amended libel, for the seizure and condemnation of 11 dozen bottles of Pabst's Okay Specific, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about November 26, 1918, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Pabst's O. K. Okay Specific O. K. Trade Mark Alcohol 24 per cent For Gonorrhœa, Gleet, Urethritis, and Chronic Mucous Discharges \* \* \* Manufacturers and Proprietors Pabst Chemical Co., Chicago, Ill."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, oleoresin of cubebs, and plant extractives, including buchu and uva ursi, and 30 per cent of alcohol by volume.

It was alleged in substance in the libel, as amended, that the article was misbranded for the reason that certain statements, regarding the curative and therapeutic effects thereof, falsely and fraudulently represented it to be effective for gonorrhea, gleet, urethritis, and chronic mucous discharges, to relieve and overcome chronic discharges of long standing, and to be effective in the most serious cases of gonorrhea as well as the oldest cases of gleet, and to cause gleet or chronic gonorrhea to disappear in cases which frequently refused to yield to other treatment, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein.

On January 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8962. Misbranding of Columbia Short Stop. U. S. \* \* \* v. 6½ Dozen Bottles of \* \* \* Columbia Short Stop \* \* \*. Heard ex parte by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10279. I. S. No. 16381-r. S. No. E-1407.)

On May 14, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6½ dozen bottles of an article, labeled in part "Columbia Short Stop \* \* \* Colum-

bia Drug Co., Savannah, Ga.," remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped on or about August 27, 1918, by the Columbia Drug Co., Savannah, Ga., and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture composed essentially of oil of sandalwood, balsam of copaiba, turpentine, ethyl nitrite, gum acacia, alcohol, and water, and flavored with lavender.

It was alleged in substance in the libel that the following words, declared, marked, printed, branded, and labeled in and upon the bottles, labels, cartons, and packages containing the article, regarding the curative and therapeutic effects of the same, "Columbia Short Stop for Gonorrhoea, Gleet, Running Range, Inflammation of the Kidneys and Bladder \* \* \* Continue taking several days after discharge stops \* \* \*," were misleading, false, and fraudulent, and were made by the Columbia Drug Co., aforesaid, knowingly and in wanton disregard of the truth or falsity of the said statements and claims and with intent to deceive the purchasers of said product.

On June 21, 1920, no claim or appearance having been made, and the matter having come on to be heard by the court and a jury, after the submission of testimony on behalf of the Government, a verdict was returned by the jury finding the product misbranded as alleged. Thereupon, on motion of the United States attorney, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8963. Misbranding of white hominy feed. U. S. \* \* \* v. National Oats Co., a Corporation.**  
Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11428. I. S. No. 10677-r.)

On December 1, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the National Oats Co., a corporation, Cedar Rapids, Iowa, alleging shipment by said defendant company, on or about August 10, 1918, in violation of the Food and Drugs Act, as amended, from the State of Iowa into the State of Indiana, of a certain consignment, invoiced as "White Hominy Feed," which was misbranded. The sacks containing the article bore no statement of the quantity of the contents.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On October 7, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8964. Misbranding of canned corn. U. S. \* \* \* v. Vinton Canning Co., a Corporation.**  
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11792. I. S. Nos. 2247-r, 2248-r, 2365-r, 2366-r.)

On May 13, 1920, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Vinton Canning Co., a corporation, Vinton, Iowa, alleging shipment by said defendant company, on or about December 19, 1918, and November 4, 1918, in violation of the Food and Drugs Act, as amended, from the State of Iowa into the States of California and Oregon, of quantities of canned corn which was misbranded. A portion of the product involved in the consignment of December 19 was labeled in part, "Manco Brand Net contents

1 Lb. 4 Oz. Sugar Corn," and the remainder, "Tropic Brand Net contents 1 Lb. 4 Oz. Sweet Corn." A portion of the product involved in the consignment of November 4 was labeled in part, "Meco Brand Corn, Net Contents 1 pound 4 ounces," and the remainder, "Grocers Club Sugar Corn Packed by Vinton Canning Co., Vinton, Iowa. Net Weight 1 Lb. 4 Oz."

Examination of samples of the article by the Bureau of Chemistry of this department showed that 36 cans of the Manco Brand averaged 1 pound and 3.55 ounces, 36 cans of the Tropic Brand, 1 pound and 3.35 ounces, 8 cans of the Meco Brand, 1 pound and 3.66 ounces, and 8 cans of the Grocers' Club Brand, 1 pound and 3.74 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Lb. 4 Oz.," borne on the cans containing the article, regarding it, was false and misleading, and the article was labeled so as to deceive and mislead the purchaser in that it represented that each of said cans contained 1 pound 4 ounces net of the article, whereas, in truth and in fact, each of said cans did not contain 1 pound 4 ounces net of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 7, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8965. Adulteration of vinegar. U. S. \* \* \* v. Cornelius W. Davis (C. W. Davis & Son).** Plea of guilty to counts 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, and 34 of the information, charging adulteration. Fine, \$300. Nolle prosequi entered as to remaining counts. (F. & D. No. 12306. I. S. Nos. 15382-r, 15383-r, 15384-r, 15398-r, 15399-r, 15400-r, 15426-r, 15428-r, 15429-r, 15430-r, 15431-r, 15432-r.)

On December 9, 1920, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information in 35 counts against Cornelius W. Davis, trading as C. W. Davis & Son, Washington, D. C., alleging that the said defendant did offer for sale and did sell, at the District of Columbia, in violation of the Food and Drugs Act, on January 20 and January 27, 1919, September 6, November 13, and August 6, 1918, November 1, 1919, September 28, 1918, March 7, March 22, and December 2, 1919, September 4 and May 22, 1918, respectively, quantities of vinegar which was adulterated. The sales made on the 6 dates first mentioned involved a product labeled in part, "Analostan Brand Distilled Table Vinegar \* \* \* Guaranteed by C. W. Davis \* \* \* Bottled by C. W. Davis & Son 801 G. St., S. W. Washington, D. C." The sales made on the 3 dates next mentioned involved a product labeled in part, "Analostan Brand High Grade Distilled White Vinegar \* \* \* Bottled by C. W. Davis & Son." The sales made on the 2 dates next mentioned involved a product labeled in part, "Pure Cider Vinegar made from the juice of fresh apples C. W. Davis & Son." The sale made on the last-mentioned date involved a product labeled in part, "Pure White Vinegar Made from Grain C. W. Davis & Son."

Analyses of samples by the Bureau of Chemistry of this department showed that the Distilled Table Vinegar consisted of dilute acetic acid or distilled vinegar colored with caramel, and that it contained excessive added water; that the Distilled White Vinegar was diluted with excessive water and was deficient in acid strength; that the Pure Cider Vinegar consisted of distilled vinegar or dilute acetic acid colored with caramel, with little, if any, cider vinegar present; and that the Pure White Vinegar was dilute acetic acid or distilled vinegar, diluted with excessive water and deficient in acid strength.

Adulteration of the article was alleged in substance in the information for the reason that substances, to wit, distilled vinegar and added water, or, in the products

involved in the sales of September 28, 1918, of High Grade White Vinegar, and of May 22, 1918, of Pure White Vinegar, a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for vinegar, which the article purported to be. Adulteration was alleged with respect to the product involved in all the sales with the exception of those of January 27, 1918, of Distilled Table Vinegar, of September 28, 1918, of High Grade White Vinegar, and of May 22, 1918, of Pure White Vinegar, for the reason that it was a product composed of distilled vinegar and added water, a product inferior to vinegar, and was artificially colored so as to simulate the appearance of natural colored vinegar, and in a manner whereby its inferiority to natural colored vinegar was concealed.

On December 9, 1920, the defendant entered a plea of guilty to counts 1, 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, and 34 of the information, charging adulteration, and the court imposed a fine of \$25 on each count, a total of \$300. A nolle prosequi was entered as to the remaining counts of the information, charging misbranding of the product.

E. D. BALL, *Acting Secretary of Agriculture.*

**8966. Misbranding of Wade's Golden Nervine. U. S. \* \* \* v. 15 Packages of Wade's Golden Nervine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13285. Inv. No. 23361. S. No. C-2431.)**

On or about September 1, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages of Wade's Golden Nervine, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped on or about February 4, 1920, by the Gem Medicine Co., St. Louis, Mo., and transported from the State of Missouri into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "Nervine \* \* \* Nervous Debility in Men and Women \* \* \* Weak Heart, \* \* \* Rheumatism, Neuralgia, Kidney Weakness, Weak Back, Catarrhal Affections, Female Weakness, Nervous Indigestion, Nervous Headaches, Malaria, Ague, and Liver, Kidney, Bowel, Stomach and Blood troubles generally. Alcoholic Excesses;" (bottle) "Nervine \* \* \* A remedy for Nervous Debility, Insomnia, Weak Heart, Etc. \* \* \* Restorative in all Nervous Conditions, resulting from Excesses, Worry, Overwork and to Promote and Restore Normal Conditions of Strength, Vigor and Vitality;" (carton) "Nervine \* \* \* a purely Vegetable Product \* \* \* a powerful up-building Restorative \* \* \* Valuable in all Weakened and Run down Conditions \* \* \* Remedy for Nervous Debility, Insomnia, Weak Heart, Etc. \* \* \* Restorative in all Nervous Conditions, resulting from Excesses, Worry, Overwork and to Promote and Restore \* \* \* Strength, Vigor and Vitality \* \* \* in all run down conditions of the system \* \* \* a general nutrient."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of iron, phosphates, strychnine, damiana, and gentian.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8967. Misbranding of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. U. S. \* \* \* v. 11 Dozen Packages of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13290. I. S. No. 7581-t. S. No. E-2676.)

On August 30, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen packages of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets, consigned by Robert J. Pierce, New York, N. Y., on or about June 1, 1920, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped and transported from the State of New York into the State of Pennsylvania, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box) "\* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets A safe emmenagogue. Always reliable and Effective. The best known remedy for the suppression of the menstrual function;" (circular) "\* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing \* \* \* take one \* \* \* until four days before the time when the menses should appear \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one 3 times daily \* \* \* follow instructions \* \* \* until the desired result is obtained \* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. Take \* \* \* before the expected appearance of the menstrual flow."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, oil of pennyroyal, and unidentified plant extractives.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, regarding the curative and therapeutic effect of the article, were false and fraudulent in that said article would not produce the curative or therapeutic effects which purchasers were led to expect by the aforesaid statements, which said statements were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On September 20, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8968. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 24 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 13311. Inv. No. 9017. S. No. C-2377.)

On August 31, 1920, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 packages of Madame Dean Female Pills, remaining unsold at Cedar Rapids, Iowa, alleging that the article had been shipped on or about January 26, 1920, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Iowa, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "\* \* \* Female Pills \* \* \* give relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional

changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine function;" (circular) " \* \* \* a great relief against those general complaints the Female Sex is subject to \* \* \* help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life period \* \* \* Continue the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* Special Strength \* \* \* should relieve the most obstinate cases."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the single-strength pills consisted essentially of quinine, aloes, ferrous sulphate, ginger, hydrastis, and corn starch, and that the special-strength pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, and ginger.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 7, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8969. Misbranding of Madame Dean Female Pills. U. S. \* \* \* v. 35 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13401. I. S. No. 11530-t. S. No. C-2299.)

On August 17, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 packages of Madame Dean Female Pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about March 17, 1920, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female pills \* \* \* Give Relief in Female Disorders of the menstrual functions \* \* \* for Painful, Irregular and Scanty Menstruation;" (booklet) " \* \* \* irregular, prolonged, or suppressed menstruation \* \* \* Female Pills afford relief for these ailments \* \* \* a remedy intended solely for the relief of Amenorrhœa, Dysmenorrhœa, scanty and irregular menstruation, and other derangements of the reproductive system \* \* \* especially valuable in the functional changes \* \* \* of the menopause or change of life \* \* \* act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods \* \* \* strengthen and build up the uterine functions;" (circular) " \* \* \* A great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel \* \* \* for irregular, painful, scanty or suppressed menstruations \* \* \* should be taken to assist nature with \* \* \* disorders \* \* \* during the change of life \* \* \*

Continue with the treatment until they give relief \* \* \* great relief from Pains or Headache \* \* \* for suppressed Menstruation \* \* \* continue their use until relieved \* \* \* take \* \* \* until the menstrual flow commences again \* \* \* Special Strength \* \* \* should relieve the most obstinate cases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous sulphate, quinine, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8970. Misbranding of Kellogg's Sanitone Wafers. U. S. \* \* \* v. 15 Packages of Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 13465. I. S. No. 2476-t. S. No. C-2310.)

On August 19, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages, \$1 size, of Kellogg's Sanitone Wafers, remaining in the original unbroken packages at Terre Haute, Ind., alleging that the article had been shipped on or about March 21, 1919, by the F. J. Kellogg Co., Battle Creek, Mich., and transported from the State of Michigan into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "The uses of Chromium Sulphate in Medicine. We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article, These are cystitis \* \* \* prostatic enlargements \* \* \* uterine fibroid tumors \* \* \* Herpes preputialis \* \* \* Cirrhosis of the female breast, castration, menopause, functional impotency in men, alcoholism, nervous vomiting \* \* \* vomiting in pregnancy, neurasthenia, locomotor ataxia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt (chromium sulphate) are speedy and striking in \* \* \* neurasthenia \* \* \* it deserves the unique position of being the only drug which is curative \* \* \* Locomotor ataxia is curable with chromium sulphate \* \* \* the wafers have chromium sulphate as their chief ingredient."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of salts of iron and chromium, a laxative plant drug, capsicum, and a trace of strychnine.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said articles, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8971. Misbranding of Dr. A. W. Chase's Nerve Pills. U. S. \* \* \* v. 74 Packages and 122 Packages and 97 Packages and 234 Packages of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13504, 13357, 13358, 13359. I. S. Nos. 11532-t, 1202-t, 2482-t, 4265-t. S. Nos. C-2350, C-2162, C-2258, C-2259.)

On August 17 and 23, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 74 packages, 122 packages, 97 packages, and 234 packages of Dr. A. W. Chase's Nerve Pills, remaining unsold in the original unbroken packages at Evansville, Indianapolis, and Terre Haute, Ind., alleging that the article had been shipped on or about March 5, June 11, and June 17, 1920, November 12, 1919, and June 16, 1920, by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: "Builds up the System Cures \* \* \* Nervous Prostration \* \* \* Nervous Headache Female Trouble \* \* \* Heart Failure Dizziness & Fainting Sleeplessness and General Weakness;" (circular) "Hysteria, Hystero-epilepsy, Epilepsy St. Vitus dance, Paralysis, Locomotor-Ataxia, Insanity \* \* \* await \* \* \* the chance to enter. The cure is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking, the very essence of existence, the active principle of life—Nerve Force \* \* \* Sexual Wrecks \* \* \* in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures \* \* \* re-invigorates, by re-supplying the very essential of health, Nerve force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself and takes its place as capable as ever of carrying out its work \* \* \* Occasional Irregularity, or \* \* \* slight and fearfully painful menstruation \* \* \* the absence of a healthy flow \* \* \* a complete relaxation and loss of power upon the part of the uterine organs \* \* \* It is in such cases as these \* \* \* that \* \* \* Nerve Pills show their sterling qualities \* \* \* by re-supplying the element lacking, Nerve Force \* \* \* Sterility \* \* \* The \* \* \* use of \* \* \* Nerve Pills always results in an awakening and return of power to those organs \* \* \* Girlhood to Womanhood \* \* \* Nerve Pills \* \* \* by their ability to supply a world of nerve force and physical energy, and to manufacture the richest quality of blood, makes the passage \* \* \* easy and safe \* \* \* Feeble Little Ones \* \* \* due to Diphtheria, Measles, Scarlet Fever, etc. \* \* \* Nothing could reach \* \* \* in a more rapid or happy manner than do \* \* \* Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating \* \* \* A True Tonic \* \* \* results once obtained are doubly certain and lasting \* \* \* This is the only medicine that cures by re-building, re-invigorating and re-supplying what is lacking—good blood and nerve force."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous carbonate, a manganese salt, strychnine, and arsenic.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8972. Adulteration of pies. U. S. \* \* \* v. 300 Pies labeled "Case & Martin Co. Connecticut Pies." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13476. Inv. No. 18469. S. No. C-2352.)**

On or about August 27, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 pies, labeled "Case & Martin Co. Connecticut Pies," at Gary, Ind., alleging that the article had been shipped on or about August 27, 1920, by the Case & Martin Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration under the Food and Drugs Act.

Adulteration of the 300 pies was alleged in the libel for the reason that saccharin had been mixed and packed therewith so as to injuriously affect their quality and strength, and had been substituted in part for the article. Adulteration was alleged for the further reason that they contained an added poisonous and deleterious ingredient, saccharin, which might render the articles injurious to health.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8973. Misbranding of Nerv-Mintz. U. S. \* \* \* v. 48 Packages, 50-cent Size, of Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13517. Inv. No. 23360. S. No. C-2411.)**

On August 26, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 packages, 50-cent size, of Nerv-Mintz, remaining in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped on or about December 19, 1919, by the Earle Chemical Co., Wheeling, W. Va., and transported from the State of West Virginia into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz, Nerve and Energy Tablets, especially a nerve strengthener \* \* \* soothe and quiet the nerves \* \* \* used for the relief of nervousness, loss of vigor, energy, and ambition—lack of confidence, sleeplessness, trembling, nervelessness, shifty gait, shattered nerves, exhausted or weakened vitality, mental depression, numbness, weakening habits \* \* \* and all overworked and unstrung nerves, induced by fast living and other excesses \* \* \* useful in the treatment of nervous conditions which follow too strenuous living, mental and physical fatigue, and other excesses;" (circular) "Nerv-Mintz for Nervous Debility \* \* \* exceptionally efficient in the treatment of nervousness, loss of vigor, energy, and ambition, lack of confidence, sleeplessness, shifty gait, shattered nerves, weakened or exhausted vitality, mental or physical depression, weakening habits \* \* \* and for all overworked and unstrung nerves induced by fast living and other excesses \* \* \* to all those who \* \* \* suffer from the effects of fast living, over-work, and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality, you perhaps had thought was gone forever. Generally results are quick \* \* \* Keep up the treatment \* \* \*."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said article, were false and fraudulent in that the article did not

contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8974. Misbranding of Hooper's Female Pills. U. S. \* \* \* v. 2 Dozen Packages of Hooper's Female Pills (Black Seal) and 370 Packages of Hooper's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13524, 12551, 13552. I. S. Nos. 8784-t, 8755-t, 8756-t. S. Nos. E-2659, E-2544, E-2545.)

On August 27, 1920, and September 8, 1920, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, libels praying the seizure and condemnation of 2 dozen packages of Hooper's Female Pills (Black Seal) and 370 packages of Hooper's Female Pills, at Washington, D. C., alleging that the 2 dozen packages had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the District of Columbia, and that the 370 packages had been transported into the District of Columbia from without, and that all of the article was being sold and offered for sale at Washington, D. C., and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Hooper's Female Pills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libels that the article was misbranded for the reason that the labeling of the article contained the following statements, among others, (wrapper) " \* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing menstruation \* \* \* for the removal of Irregularities \* \* \* are used \* \* \* (except in cases of Pregnancy \* \* \*) \* \* \* Opening obstructions of the vessels \* \* \* cure of disorders peculiarly incident to the Female Sex \* \* \* remedy against those general complaints the Female Sex are subject to \* \* \* cleanse, purify, and cause a free circulation of the blood \* \* \* open those obstructions which Virgins are liable to \* \* \* best \* \* \* for \* \* \* the irregularities \* \* \* for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath \* \* \* scurvy \* \* \* should be taken by all women at the age of 45 \* \* \* to prevent those disorders that usually attend them at that time \* \* \* sovereign remedy \* \* \* in all hypochondriac, hysterick or vapourish disorders \* \* \* strengthen the nerves \* \* \* for \* \* \* obstruction of \* \* \* courses \* \* \* continue their use until the end is answered \* \* \*," (circular) " \* \* \* Female Pills \* \* \* a safe and sovereign remedy in female complaints \* \* \* an emmenagogue in producing menstruation \* \* \* for the removal of irregularities \* \* \* are used \* \* \* except in cases of pregnancy \* \* \*," which said statements contained in the said circular and wrapper, being statements of the curative and therapeutic effect of the said drug and the ingredients and substances contained therein, were false and fraudulent for the reason that the said drug contained no ingredients or combination of ingredients in sufficient quantity and strength capable of producing the therapeutic effect claimed for it in said statements.

On October 18, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8975. Misbranding of Dr. Martel's Female Pills.** U. S. \* \* \* v. 26 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13578. I. S. No. 11542-t. S. No. C-2376.)

On August 24, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 packages of Dr. Martel's Female Pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the French Drug Co., New York, N. Y., on or about February 26, 1920, and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Female Pills \* \* \* for (suppression of the menses) dysmenorrhœa (painful menstruation) and similar functional derangements;" (circular) "Female Pills \* \* \* For Disturbances of the Menstrual Functions \* \* \* For Amenorrhœa (suppression of the menses) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhœa (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance \* \* \* the menstrual flow."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements on each of said packages, with respect to the curative and therapeutic effects of said articles, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8976. Misbranding of Wendell's Ambition Pills.** U. S. \* \* \* v. 12 Packages, Large Size, 29 Packages, Small Size, 9 Packages, Large Size, and 95 Packages, Small Size, of Wendell's Ambition Pills. (F. & D. Nos. 13544, 13641. I. S. Nos. 1209-t, 1210-t, 11543-t. S. Nos C-2168, C-2171.)

On or about August 30, 1920, and September 4, 1920, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 packages, large size, 29 packages, small size, 9 packages, large size, and 95 packages, small size, of Wendell's Ambition Pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 27, 1920, May 7, 1920, June 10, 1920, and July 14, 1920, and transported from the State of New York into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Carton, both sizes) "\* \* \* Pills Ambition Brand Beneficial in the treatment of \* \* \* Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion, \* \* \* Affections of the Nervous System."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloin, quinine, and nux vomica.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements upon each of said packages, regarding the curative and therapeutic

effects of said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8977. Misbranding of Compound Tansy, Pennyroyal, and Cotton Root Pills and Allan's Star Brand Pills. U. S. \* \* \* v. 4 Boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and U. S. \* \* \* v. 4 Boxes of Allan's Star Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13754, 13755. Inv. Nos. 23296, 23299. S. Nos. C-2539, C-2540.)**

On or about October 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 boxes of Compound Tansy, Pennyroyal, and Cotton Root Pills and 4 boxes of Allan's Star Brand Pills, at Blytheville, Ark., alleging that the articles had been shipped on or about August 20, 1920, and November 1, 1919, respectively, by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples by the Bureau of Chemistry of this department showed that the Compound Tansy, Pennyroyal, and Cotton Root Pills consisted essentially of aloes, ferrous sulphate, and oil of pennyroyal, and that Allan's Star Brand Pills consisted essentially of ferrous sulphate, aloes, and starch.

It was alleged in substance in the libels that the articles were misbranded for the reason that there appeared upon the circulars inclosed in the boxes containing the articles the following statements, regarding the curative and therapeutic effects of said articles, (Compound Tansy Pills) "A safe and effectual remedy in suppressed or painful menstruation \* \* \* Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin. Take one pill three times daily \* \* \* To prevent irregularities \* \* \* Take one pill three times daily for four or five days preceding the expected appearance of the menstrual period. For painful menstruation. The same treatment prescribed for suppression," (Allan's Star Brand Pills) "A good remedy in suppressed or painful menstruation \* \* \* to bring on the menses \* \* \* Immediately preceding the expected appearance of the menstrual flow \* \* \* treatment should begin \* \* \* take one pill \* \* \* continue this treatment \* \* \* until a satisfactory result is secured \* \* \* to prevent irregularities \* \* \* take one pill \* \* \* four or five days preceding the expected appearance of the menstrual period \* \* \* For painful menstruation \* \* \* The same treatment prescribed for suppression," all of which statements were false and fraudulent for the reason that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On November 22, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8978. Adulteration and misbranding of oil of birch. U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Oil of Birch. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13861. I. S. No. 6463-t. S. No. E-2874.)**

On November 15, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of

1 can containing 55 pounds of a product purporting to be oil of birch, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about October 28, 1920, by T. J. Ray, from Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "(Oil Sweet Birch) \* \* \* From T. J. Ray Medicinal Crude Drugs and Essential Oils Newland, North Carolina."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the pharmacopœial standard of strength, quality, and purity as determined by the tests laid down in the said United States Pharmacopœia, official at the time of investigation, and its own standard of strength, quality, and purity was not plainly stated upon the container thereof, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, derived from a source other than birch trees, had been mixed and packed with, and substituted in part for, the article.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, oil of birch. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, oil of birch.

On December 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8979. Adulteration of Mexican Hot. U. S. \* \* \* v. 2 Barrels and 3 Kegs of Mexican Hot**  
**Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13696.**  
 I. S. No. 10436-t. S. No. W-837.)

On or about December 7, 1920, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels and 3 kegs of Mexican Hot, remaining unsold in the original unopened packages at Las Vegas, N. Mex., alleging that the article had been shipped on June 23, 1920, by the Mexican Hot Co., Colorado Springs, Colo., and transported from the State of Colorado into the State of New Mexico, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Mexican Hot," "From the Mexican Hot Company \* \* \* Colorado Springs, Colorado. No injurious ingredients."

Adulteration of the article was alleged in substance in the libel for the reason that saccharin had been mixed and packed with, and substituted in part for, the article, and for the further reason that said article contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render the article injurious to health, and for the further reason that said article was colored in such a manner that its inferiority was concealed.

On January 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8980. Adulteration of ground marjoram. U. S. \* \* \* v. 1 Drum and 1 Drum of Ground Marjoram. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10095, 10231. I. S. Nos. 7014-r, 7043-r. S. Nos. C-1172, C-1209.)**

On April 23, 1919, and May 8, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 drum and 1 drum of ground marjoram, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 19 and April 17, 1919, by Morris & Co., Oklahoma City, Okla., and transported from the State of Oklahoma into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, (drum) "Ground Marjoram" or "Pure Ground Marjoram," as the case might be.

Adulteration of the article was alleged in substance in the libels for the reason that excessive sand and clay had been mixed and packed with and substituted in part for the article.

On January 10, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8981. Misbranding of Milks Emulsion. U. S. \* \* \* v. 48 Dozen Large and 6 Dozen Small Packages of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11466. I. S. No. 7332-r. S. No. C-1524.)**

On October 8, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 dozen large and 6 dozen small packages of Milks Emulsion, consigned by the Milks Emulsion Co., Terre Haute, Ind., August 6, 1919, remaining unsold in the original packages at Louisville, Ky., alleging that the article had been transported from the State of Indiana into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Milks Emulsion Nature's Remedy. A valuable remedy for Dyspepsia, Indigestion, Catarrh of the Stomach and Bowels, Habitual Constipation, Bronchial Asthma, Catarrhal Croup, Bronchitis and Colds. Especially beneficial in incipient consumption."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small quantities of sirup, glycerin, plant extractives, methyl salicylate, and lemon oil.

Misbranding of the article was alleged in substance in the libel for the reason that the packages, the labels upon the bottles, and the accompanying booklets bore and contained false and fraudulent statements regarding the curative and therapeutic effect of the article, in that they claimed that Milks Emulsion was a remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, habitual constipation, bronchial asthma, catarrhal croup, bronchitis, and colds, and was especially beneficial in incipient consumption, whereas it contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the booklet aforesaid contained the statement, "Milks Emulsion contains a great amount of fat," which was false and misleading, since the article contained no fat.

On April 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8982. Misbranding of Sirop D'Anis (Syrup of Anise). U. S. \* \* \* v. Certain Bottles of Sirop D'Anis. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12440, 12441, 12442, 12443, 12444, 12446, 12447, 12448, 12449, 12450. I. S. Nos. 13069-r, 13081-r, 13089-r, 13078-r, 13076-r, 13071-r, 13082-r, 13085-r, 13084-r, 13075-r. S. Nos. E-2099, E-2103, E-2104, E-2105, E-2106, E-2109, E-2110, E-2111, E-2112, E-2115.)

On May 17 and 24, 1919, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain bottles of Sirop D'Anis, consigned by J. A. E. Gauvin, Lowell, Mass., between the dates of July 1, 1919, and February 6, 1920, remaining unsold in the original unbroken packages at Portland and Biddeford, Me., alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine acetate, oil of anise, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the packages containing it bore certain statements regarding the curative or therapeutic effect, as follows, (bottle) "For Babies \* \* \* This preparation is highly recommended in cases of Colic, Dysentery, Sleeplessness, and painful dentition. \* \* \* For Babies. This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Sleeplessness, Coughs, etc.," (wrapper) "For Babies \* \* \* This Syrup is administered for Infantile Colics, Dysentery, Coughs, Colds, Sleeplessness, etc. For Babies This syrup is administered in cases of Colic, Diarrhea, Dysentery, Painful Dentition, Coughs, Colds, Sleeplessness, etc.," (circular) "For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Coughs, Colds and Sleeplessness. Recommended for Babies and children when the process of dentition is painful. For Babies \* \* \* A preparation for soothing pain in cases of Colic, Dysentery, Colds and Chills (Refroidissements) Recommended for babies and children when dentition is painful and when wanting sleep," which statements were false and fraudulent in that the article contained no ingredient or ingredients capable of producing the effects claimed.

On June 17, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8983. Misbranding of Gauvin's Cough Syrup. U. S. \* \* \* v. Certain Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 12823 to 12831, inclusive. I. S. Nos. 1214-r, 1219-r, 1205-r, 1201-r, 1203-r, 1212-r, 1211-r, 1206-r, 1208-r. S. Nos. E-2303, E-2310 to E-2317, inclusive.)

On June 21, 1920, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Rumford, Westbrook, and Sanford, Me., consigned by J. A. E. Gauvin, between the dates of October 9 and 17, 1919, alleging that the article had been transported from the State of Massachusetts into the State of Maine, and charging misbranding in violation of the Food and Drugs Act, as amended. Two consignments of the articles were labeled in part: (Bottle) " \* \* \* For 'La Grippe,' Whooping-Cough & all Affections of the Throat and Lungs;" (carton) " \* \* \* Recommended for 'La Grippe,' Whooping Cough and all Throat and Pulmonary Diseases \* \* \* For all Diseases of the Respiratory Organs;" (circular) " \* \* \* the greatest possibilities of a radical

cure \* \* \* highly recommended for all Affections of the Respiratory Organs  
 \* \* \* its persistent use produces a beneficent relief in serious as well as desperate  
 cases \* \* \* a remedy for all Affections of the Respiratory Organs: Throat,  
 Bronchial Tubes and Lungs \* \* \* the use of Gauvin's Syrup in the treatment of  
 more severe cases of \* \* \* Catarrh, as well as Asthma, Whooping Cough, La  
 Grippe, Hoarseness and Influenza have proven conclusively the efficacy of this  
 remedy \* \* \* especially appropriate for the treatment of pulmonary diseases,  
 because it constitutes the best antiseptic combination to check the progress of  
 microbes in the respiratory organs \* \* \* it will relieve the worst cases \* \* \*"  
 The remaining consignments were labeled in part: (Bottle) " \* \* \* For \* \* \*  
 'La Grippe,' Whooping-Cough & all Affections of the Throat and Lungs;" (carton)  
 " \* \* \* Recommended for \* \* \* 'La Grippe,' Whooping Cough and all  
 Throat and Pulmonary Diseases \* \* \* A safe and active Remedy for all Diseases  
 of the Respiratory Organs \* \* \* 'La Grippe,' Whooping-Cough and all Throat  
 and Lung Diseases;" (circular) " \* \* \* Successfully used in all Affections of the  
 Throat, Bronchi and Lungs \* \* \* especially indicated in the treatment of all  
 cases of Coughs, Colds, Catarrh, Asthma, Whooping-Cough, Influenza and in the first  
 stages of Consumption \* \* \* Tuberculosis \* \* \* ailments of the Chest  
 \* \* \* Spasmodic Coughs \* \* \* Used against all Affections of the Throat,  
 Bronchi and Lungs \* \* \* Gauvin's Cough Syrup is fully indicated for the treat-  
 ment of the most serious cases of Colds, Bronchitis, the most obstinate Catarrhs,  
 Asthma, Whooping-Cough, Grippe, Hoarseness, Influenza and the first stages of  
 Consumption \* \* \* Tuberculosis and \* \* \* Epidemic Grippe \* \* \*  
 Diseases of the Chest \* \* \* Gastric Disorders;" (wholesale carton) " \* \* \*  
 Recommended for Pulmonary Diseases, \* \* \* Affections of the Throat, Bronchial  
 Tubes and Lungs, Hoarseness, \* \* \* La Grippe, Whooping-Cough."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that it bore certain statements regarding the curative or therapeutic effects, as above quoted, which statements were false and fraudulent in that the articles contained no ingredient or ingredients capable of producing the effects claimed.

On July 20, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8984. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 6 Dozen Bottles and 6 Dozen, Bottles of Hall's Texas Wonder \* \* \*. Default decrees of condemnation, forfeiture and destruction. (F. & D. Nos. 12920, 12973. S. Nos. C-1986, C-1999.)**

On June 16 and 25, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 dozen bottles and 6 dozen bottles of Hall's Texas Wonder, remaining unsold in the original packages at Memphis, Tenn., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about June 9 and June 18, 1920, and transported from the State of Missouri into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, rheumatism and Gravel. Regulates Bladder Troubles in Children;" (circular) "Read Carefully In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libels that the article was misbranded for the reason that the above-quoted statements on the cartons and in the circulars accompanying the bottles, regarding the curative and therapeutic effects of the preparation, were false and fraudulent, and calculated to deceive or mislead the purchaser or purchasers thereof, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 8, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8985. Misbranding of Hall's Texas Wonder. U. S. \* \* \* v. 3 Dozen Bottles \* \* \* of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13042. S. No. C-2038.)**

On July 14, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining unsold in the original packages at Memphis, Tenn., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about July 2, 1920, and transported from the State of Missouri into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Recommended for Kidney and Bladder Troubles Where Operation not Required. Weak or Lame Backs, Rheumatism, Gravel and Bladder Troubles in Children;" (circular) "Read Carefully In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements on the cartons and in the circulars accompanying the bottles, regarding the curative and therapeutic effects of the preparation, were false and fraudulent, and calculated to deceive or mislead the purchaser or purchasers thereof, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 8, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8986. Misbranding of Dr. Carey's Marsh Root. U. S. \* \* \* v. 6 Dozen Bottles \* \* \* of \* \* \* Dr. Carey's Marsh Root. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13723. S. No. C-2301.)**

On or about September 29, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Dr. Carey's Marsh Root, at Council Bluffs, Iowa, alleging that the article had been shipped on or about June 25, 1920, by the Dr. Carey Medical Corporation, Rochester, N. Y., and transported from the State of New York into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of salicylates, aromatic oils, a trace of unidentified alkaloid, sugar, glycerin, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the following statements regarding the curative and therapeutic effects thereof, (carton) " \* \* \* The Marsh Root Prescription is indicated in the Treatment of Bright's Disease (before casts are formed), Diabetes, Kidney, Bladder and Urinary Troubles, Disordered Liver, Stomach and Blood Diseases \* \* \* Is advocated for the treatment of Chronic and Acute Kidney, Bladder, Stomach, Liver and Urinary Diseases. It restores impoverished blood to the rich, red condition of perfect health. Marsh Root removes the cause \* \* \* ," (circular) " \* \* \* This wonderful remedy is a prescription used by Dr. Carey, with marvelous success, for many years in the treatment of Kidney and Bladder Troubles, Bright's Disease, and difficulties of the liver \* \* \* for the benefit of all sufferers from those dread diseases \* \* \* This splendid remedy has proven itself of great value in the treatment of Bright's Disease, Diabetes, all Urinary troubles, Retention, Scanty, Stoppage, Too Frequent and Brickdust. Catarrh of the Bladder, Gravel and Gall Stones are positively relieved by this treatment. In cases of Spermatorrhœa, Debility and Seminal Weakness, Dr. Carey's Marsh Root will be found invaluable. It restores the Liver to a healthy and normal condition and makes the blood rich, red and healthy. \* \* \* all that is claimed for Dr. Carey's marvelous medicine, Marsh Root, is beyond any question of doubt. There are thousands alive to-day who would be in their graves, caused by the awful effect of Kidney and Bladder Trouble, if they had not used this wonderful medicine, Marsh Root \* \* \* Kidney Diseases \* \* \* Bladder Troubles \* \* \* Paralysis of the Bladder \* \* \* Diabetes \* \* \* Uric Acid \* \* \* Eczema, or Tetter \* \* \* Gravel \* \* \* brickdust, sand or gravel \* \* \* Bright's Disease \* \* \* Diseased condition of the ovaries \* \* \* in painful and unnatural menstruation. Marsh Root makes the kidneys strong and active and removes the uric acid which causes the pain, builds up the blood, increases its circulation, and regulates the monthly flow. Gravel or Stone in the Bladder. \* \* \* Marsh Root cures Gravel by dissolving the stones and deposits so that they are carried off with the urine. By making the kidneys and bladder strong and healthy they do not form again. Diabetes Sugar in the Urine. \* \* \* relief can be obtained much sooner if you procure Marsh Root to build up the digestive organs. \* \* \* cured thousands of people \* \* \* Backache, Weak Back \* \* \* Gout, Diabetes, Bright's Disease, Gravel, Irritation of the Bladder, Scalding of the Urine, Swelling of the Ankles, Dropsy, or some other form of kidney or Urinary Trouble. Marsh Root has a direct and specific action in all form of Kidney, Bladder and Urinary Trouble, giving the kidneys strength to cast off all poisonous matter from the blood, thus stopping the cause of all diseases of this nature. \* \* \* best known remedy for Bed Wetting in children and old people \* \* \* ," (bottle) "Marsh Root Prescription No. 777 for Kidney and Bladder Troubles. Relieves Bladder and Urinary diseases, such as Inflammation of the bladder and urethra \* \* \* cystitis and pain in kidney region, loins and back; too frequent and copious or too scanty flow of urine; that smarting burning sensation when urinating and will be found very beneficial in Renal Calculi or Stone in the Bladder. Prevents uremic poisoning by carrying off the uric acid in the urine Renal Colic, Ovarian troubles, bearing down sensation. Children wetting the bed," were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8987. Adulteration and misbranding of birch oil. U. S. \* \* \* v. 1 Can \* \* \* of a Product Purporting to be Birch Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13730. I. S. No. 7499-t. S. No. E-2783.)**

On September 28, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can of a product purporting to be birch oil, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped by T. J. Ray, Newland, N. C., on or about September 13, 1920, and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Oil Sweet Birch \* \* \* From T. J. Ray \* \* \* Newland, North Carolina."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained synthetic methyl salicylate.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of the investigation of the article, and further in that its own strength and purity fell below the professed standard or quality under which it was sold. Adulteration of the article, considered as a food, was alleged for the reason that synthetic methyl salicylate had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding of the article, considered as a drug, was alleged for the reason that it was an imitation of, and was sold under the name of, another article, to wit, oil of birch. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and was sold under the distinctive name of, another article, to wit, oil of sweet birch, and for the further reason that the statements appearing on the package and label, above set forth, were false and misleading, and deceived and misled the purchaser.

On October 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8988. Misbranding of Red Cross Tansy Pills. U. S. \* \* \* v. 11 Packages of Red Cross Tansy Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13801. I. S. No. 7495-t. S. No. E-2335.)**

On October 20, 1920, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 packages of Red Cross Tansy Pills, at Troy, N. Y., alleging that the article had been shipped on or about June 20, 1920, by the Norman Lichty Mfg. Co., Des Moines, Ia., and transported from the State of Iowa into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Relieves cases of obstructions of long standing and the Regulation of Female Complaints;" (circular) "Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints \* \* \* safe and sure as a monthly regulator \* \* \* Suppression of menstruation \* \* \* The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated beyond a doubt its efficacy \* \* \* No experiment, but an assured success, and all who require a remedy of this kind should use Red Cross

Tansy Pills \* \* \* For Suppressed Menstruation, for Painful Menstruation, and a preventive for Irregular Menstruation."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the pills consisted essentially of aloes and ferrous sulphate.

It was alleged in substance in the libel that the article was misbranded for the reason that the above-quoted statements upon the carton and in the circular were false and untrue [fraudulent] as the article did not and could not produce the curative and therapeutic effects alleged in said statements, and it contained no ingredient or combination of ingredients able to produce the results claimed for it; that said statements were misleading and were intended to deceive and were wilfully, wrongfully, and unlawfully branded and added to said packages for the purpose and with the intent to deceive and mislead anyone needing such alleged remedy to believe and understand that it would produce the curative effects stated.

On November 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, the court finding that the labeling of the article contained statements regarding the curative and therapeutic effect of the same and the ingredients and substances contained therein, which were false and fraudulent, and it was ordered that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8989. Adulteration of walnuts. U. S. \* \* \* v. 58 Bags \* \* \* of Walnuts \* \* \* .**  
**Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 14109. I. S. No. 7618-t. S. No. E-2968.)

On December 21, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 58 bags of walnuts, consigned by J. Kutsukian & Co., New York, N. Y., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about November 24, 1920, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8990. Misbranding of "Turpentine Man's." U. S. \* \* \* v. 9½ Dozen Bottles of "Turpentine Man's." Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 10489. I. S. No. 16225-r. S. No. E-1484.)

On June 6, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9½ dozen bottles of "Turpentine Man's," remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by Tydings & Co., Ocala, Fla., on or about April 28 and May 16, 1919, and transported from the State of Florida into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "'Turpentine Man's' Registered, No. 42413 or Tydings' Remedy \* \* \* Tydings & Co., Manufacturers, Ocala, Florida."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, salicylic acid, glucose, unidentified vegetable extractives, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the use of the serial number on the bottle label was false and misleading, and for the further reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein. Misbranding was alleged in substance for the further reason that certain statements upon the carton and bottle and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit. (carton) "For Blood Diseases Tydings' Remedy or 'Turpentine Man's,'" (bottle) "'Turpentine Man's' or Tydings' Remedy For Blood Diseases of all Kinds and Rheumatism," (circular) "'Turpentine Man's,' or Tydings' Remedy for blood diseases \* \* \* What it is for \* \* \* in restoring and invigorating the whole system; in renovating and enriching the blood; in giving an appetite and a tone to the stomach, in relieving Pock, Scrofula, Scrofulous Humors. Scald-head, Syphilitic affections; Ringworm. Salt Rheum, Boils, Pimples and Humors on the face, Catarrh, Headache, Dizziness, Faintness, Sick Stomach, Constipation, Pains in the Back, and many Female Diseases, General Debility and Rheumatism, and diseases arising from an impure state or low condition of the blood \* \* \* 'Turpentine Man's,' or Tydings' Remedy is designed to act on the blood and through that upon all the organs and tissues of the body. It also has a special action upon the secretions and excretions, and assists Nature to expel from the System all Humors, impure particles and effete matter through the Lungs, Kidneys, the liver and skin. It positively aids and strengthens weak and impaired and debilitated organs; Invigorates the nervous system; tones and strengthens the digestive organs, and imparts new life and vigor to all the organs of the body," were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8991. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 70 Pounds \* \* \* 164 $\frac{1}{2}$  Pounds \* \* \* and 19 Packages of Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 19629, 10630, 10631, 10632, 10633, 10634. I. S. Nos. 15784-r, 15785-r, 15786-r, 15787-r, 15788-r, 15789-r. S. No. E-1545.)

On June 17, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 pounds of cocoa in  $\frac{1}{2}$ -pound packages, 164 $\frac{3}{4}$  pounds of cocoa in  $\frac{1}{8}$ -pound packages, and 19 packages of cocoa of  $\frac{1}{2}$  pound each, remaining in the original unbroken packages at Martinsburg, W. Va., alleging that the article had been shipped on or about March 27, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of West Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "My Own Cocoa Valuable Premiums Gold Medals My Own Pure Cocoa The Cocoa contained in this package is Positively High Grade \* \* \*," (stamped on side in illegible type) "My own cocoa compound containing cocoa, sugar, corn starch," (marked, as the case may be, either) "Net Weight  $\frac{1}{2}$  pound" (on the packages labeled as containing  $\frac{1}{8}$  pound, or) "Net Weight  $\frac{1}{2}$  pound" (on the packages labeled as containing  $\frac{1}{2}$  pound).

Adulteration of the article was alleged in substance in the libel for the reason that the substances starch and sugar had been mixed and packed [with, and substituted] wholly or in part for, cocoa, and for the further reason that said article was mixed in a manner whereby damage and inferiority in the quality thereof were concealed, the inferiority thereof being concealed by reason of the said packages being labeled with the word "Cocoa" in prominent letters upon the front and back panels of the pack-

ages, and with the words "Pure Cocoa" on each side panel of said packages, in very conspicuous type, and being labeled further by the words "The cocoa contained in this package is positively high grade," in conspicuous type, whereas there was no mark or statement stamped upon said packages in any legible manner to show the extent to which the contents of such packages were adulterated or impure, and the only statement stamped upon said package being a statement in illegible type for the purpose of deceiving any prospective purchaser thereof as to the true contents of the said package, said illegible words being in an inconspicuous position upon said packages, as follows, "My own cocoa compound containing cocoa, sugar, corn starch," and the conspicuous label aforesaid upon said packages not being sufficiently corrected by the said inconspicuous statement aforesaid so as to give a purchaser true information as to the adulterated character of the article contained in said packages.

Misbranding was alleged for the reason that the conspicuous statements contained as aforesaid on said packages were false and misleading, and intended to deceive purchasers, and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of, pure cocoa, when the same was not pure, but was adulterated as hereinbefore set out. Misbranding was alleged for the further reason that the packages contained food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package as to their respective true weights.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the same adulterated and misbranded and ordering its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8992. Misbranding of Santal Midy. U. S. \* \* \* v. 5 Dozen Packages of Drugs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10656. I. S. No. 15798-r. S. No. E-1571.)**

On June 25, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen packages of drugs, labeled in part, "Santal Midy \* \* \* Capsules of 25 Centigrams of Mysore (E. I.) Sandal-wood Oil Distilled by Midy's Process. Bottled in the New York Laboratories of Dr. Ph. Chapelle \* \* \* L. Midy, Pharmacien de 1re Classe Paris Dépôt Dans Les Principales Pharmacies Dr. Ph. Chapelle Ancienne, Maison Grimault & Cie, 8, Rue Vivienne Paris Contents 40 capsules \* \* \*," remaining unsold in the original unbroken packages at Clarksburg, W. Va., alleging that the article had been shipped on or about April 17, 1919, by E. Fougera & Co., New York, N. Y., and transported from the State of New York into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles containing the article were labeled in part: "Santal Midy \* \* \* Capsules of 25 Centigrams of Mysore (E. I.) Santal-Wood Oil Distilled by Midy's Process. Bottled in the New York Laboratories of Dr. Ph. Chapelle \* \* \* L. Midy Pharmacien de 1re Classe Paris Dépôt Dans Les Principales Pharmacies Dr. Ph. Chapelle Ancienne, Maison Grimault & Cie, 8 rue Vivienne Paris. Contents 40 Capsules."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules averaged 20.6 centigrams and consisted of santal oil.

Misbranding of the article was alleged in the libel for the reason that the above-quoted labeling was false in that the average net weight of the contents of each of the capsules was 20.6 centigrams. It was alleged that said labeling was further false and misleading in that the statement in French, quoted above, indicated that the article was a foreign product, whereas, in truth and in fact, it was not a foreign product, but was a domestic product, and which said false statement was not sufficiently corrected by the statement on the said label in inconspicuous type, "Bottled in the New

York Laboratories of Dr. Ph. Chapelle." It was alleged in substance that the article was misbranded for the further reason that the package containing the same and the wrappers thereof and the circulars accompanying it contained the following statements, regarding the curative and therapeutic effect of said article and of the ingredients and substances contained therein, "Santal-Midy \* \* \* oil of Sandalwood \* \* \* in the treatment of gonorrhœa, gleet and discharges from the urinary organs \* \* \* In Gonorrhœa in the acute stages \* \* \* mucous. Inflammation of the Bladder. \* \* \* when there is hemorrhage, \* \* \* In nearly every case of hematuria, the frequency of micturition and the pain arising therefrom cease in two or three days. Suppurative Nephritis \* \* \* Catarrh of the Bladder \* \* \* chronic catarrh of the bladder \* \* \* it is not likely to be injurious to the kidneys and digestive apparatus. Vesical Catarrh of Old Age.—In this affection so frequently accompanied by stricture of the urethra and congestion of the prostate, a rapid improvement follows its use \* \* \* In Acute Cystitis, when the urine is colored with blood, and inflammation of the neck of the bladder, it gives relief \* \* \* it assists elimination of the uric acid indicated by the red deposit in the urine resembling gravel \* \* \* extremely efficient and useful in the treatment of gonorrhœa and other discharges of the genito-urinary organs," which said statements were false and fraudulent in that the article contained no substance and no ingredients and no combination of ingredients capable of producing the effects claimed.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the same to be misbranded and ordering its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8993. Misbranding of Planten's C & C or Black Capsules. U. S. \* \* \* v. 41 Packages of Planten's C & C or Black Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10666. I. S. No. 15795-r. S. No. E-1582.)**

On June 21, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 packages of Planten's C & C or Black Capsules, remaining unsold in the original unbroken packages at Clarksburg, W. Va., alleging that the article had been shipped on or about December 3, 1918, by H. Planten & Son, Brooklyn, N. Y., and transported from the State of New York into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of copaiba balsam, cubebs, oil of cassia, and turpentine.

It was alleged in substance in the libel that the article was misbranded for the reason that the packages and cartons containing it and the wrappers and booklets accompanying the same, contained the following statements, regarding the curative and therapeutic effect of said article and of the ingredients and substances contained therein, (small-size carton) "For the treatment of Private Diseases of Men," (large-size carton) "For the treatment of Diseases pertaining to the Kidneys, Bladder and Urinary Organs," (booklet) "\* \* \* Gonorrhœa or Clap \* \* \* Gleet \* \* \* Useful in restoring a healthy condition of the mucous membranes of the genito urinary tract \* \* \* For the treatment of chronic and acute gonorrhœa, gleet, urethritis," which said statements were false and fraudulent in that the article contained no substance and no ingredient and no combination of ingredients capable of producing the effects claimed.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the same to be misbranded and directing its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8994. **Misbranding of Injection Zip and Grimault & Co's. Injection. U. S. \* \* \* v. 3 Dozen Bottles of \* \* \* Injection Zip and 3 Dozen Bottles of \* \* \* Grimault & Co's. Injection. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10668, 10669. I. S. Nos. 15851-r, 15852-r. S. Nos. E-1583, E-1584.)**

On June 24, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen bottles of an article, labeled in part "Injection Zip \* \* \*," and 3 dozen bottles of an article, labeled in part "Grimault & Co's. Injection," remaining unsold in the original unbroken packages at Wheeling, W. Va., alleging that the Injection Zip had been shipped on or about October 29, 1918, by the Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of West Virginia, and that the Grimault & Co's. Injection had been shipped on or about October 14, 1918, by E. Fougera & Co., New York, N. Y., and transported from the State of New York into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Injection Zip consisted essentially of lead and zinc acetates and sulphates, berberine, morphine, plant extractives, alcohol, and water, and that the Grimault & Co's. Injection consisted of an aqueous solution containing plant extractives, probably from matico.

It was alleged in substance in one of the libels that this article [Injection Zip] was misbranded for the reason that the packages and bottles and the booklets and wrappers accompanying the same contained the following statements, regarding the curative and therapeutic effect of said article and of the ingredients and substances contained therein, (bottle) "Injection Zip \* \* \* This injection \* \* \* can not produce stricture. Relief being speedy," (circular) "\* \* \* For Male or Female. To be used for Gonorrhœa, Gleet and Leucorrhœa \* \* \* Whites," which said statements were false and fraudulent in that the article contained no substance and no ingredients and no combination of ingredients capable of producing the effects claimed.

It was alleged in substance in the other libel that this article [Grimault & Co's. Injection] was misbranded for the reason that the packages, containers, and bottles containing it and the booklets and wrappers accompanying it contained the following statements, regarding the curative and therapeutic effect of said article and of the ingredients and substances contained therein, (wrapper and bottle) "Grimault and Co's. Injection \* \* \* The Matico plant \* \* \* has been found to have remarkable preventive \* \* \* properties," (circular, English) "Matico Injection \* \* \* in the treatment of chronic and acute discharges from the urethra \* \* \* when taken internally [acts] especially well on all muco-purulent discharges \* \* \* Gonorrhœa \* \* \* Discharges from the female generative organs, whether merely whites or of a greenish-yellow color \* \* \*," (circular, Spanish) "\* \* \* Matico \* \* \* recent ~~ex~~ old blennorrhagic discharges \* \* \* disappear rapidly \* \* \* in cases of blennorrhagia and gonorrhœa for men \* \* \* In cases of Catarrh, Leucorrhœa, Flowers and losses these various affections have also as their symptom a purulent greenish-yellow mucous discharge that issues from the vagina \* \* \* white flowers \* \* \* as a prophylactic and preservative \* \* \* enjoys extraordinary diuretic property," which said statements were false and fraudulent in that the article contained no substances and no ingredients and no combination of ingredients capable of producing the effects claimed.

On October 1, 1920, no claimant having appeared for the property, judgments were entered by the court finding the products misbranded and directing their destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8995. Misbranding of Nyal's Prescription "23" and Nyal Prescription "23" Pills.** U. S. \* \* \* v. 7½ Dozen Bottles of \* \* \* Nyal's Prescription "23" and 1 Box of Nyal Prescription "23" Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10677. I. S. No. 15800-r. S. No. E-1588.)

On June 28, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen bottles, labeled in part "Nyal's Prescription '23' \* \* \* For External Use \* \* \*," and 1 box, labeled in part "Nyal Prescription '23' Pills \* \* \*," remaining unsold in the original unbroken packages at Fairmont, W. Va., alleging that the articles had been shipped on or about October 12, 1918, by the Nyal Co., Detroit, Mich., and transported from the State of Michigan into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription "23" (liquid) consisted essentially of zinc sulphate, boric acid, hydrastis, glycerin, and water, and that the pills consisted essentially of ferrous sulphate, copaiba balsam, oleoresin of cubebs, and alkaloidal material.

It was alleged in substance in the libel that the articles were misbranded for the reason that said bottles and containers and the circulars accompanying them contained the following statements, regarding the curative and therapeutic effect of said articles and of the ingredients and substances contained therein, (carton) "Prescription '23' \* \* \* For G and G," (bottle and box) "Prescription '23'," (circular) "The Nyal Prescription '23' for Gonorrhea and Gleet \* \* \*," which said statements were false and fraudulent in that the articles contained no substance and no ingredient and no combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the product misbranded and directing that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8996. Misbranding of B-I-F Capsules.** U. S. \* \* \* v. 9 Boxes of B-I-F Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10752. I. S. No. 15793-r. S. No. E-1578.)

On June 23, 1919, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 boxes of drugs, labeled in part "B-I-F Capsules \* \* \* The Henry S. Wampole Co. \* \* \* Baltimore, Md.," remaining unsold in the original unbroken packages at Clarksburg, W. Va., alleging that the article had been shipped during the month of April, 1919, by The Henry S. Wampole Co., Baltimore, Md., and transported from the State of Maryland into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted essentially of balsam of copaiba, cubebs, alum, and magnesia.

It was alleged in substance in the libel that the article was misbranded for the reason that the packages, boxes, and cartons containing the same and the wrappers and booklets contained therein, contained the following statements regarding the curative and therapeutic effect of the said article and of the ingredients and substances contained therein, (carton) "B-I-F Capsules \* \* \* valuable remedy for Clap, Gonorrhea, Gleet or any discharge from the urinary organs. Generally relieves clap in a few days \* \* \* Has a Tendency to Prevent Strictures \* \* \* B-I-F Capsules. It aids in eliminating the pus-like discharges. Never Known to Produce

Harmful Results," (circular or booklet) "B-I-F Capsules A Safe and Speedy Remedy for the Relief of Clap, Gonorrhea, Gleet or any discharges from the urinary organs \* \* \*," which said statements were false and fraudulent in that the article contained no substances and no ingredients and no combination of ingredients capable of producing the effects claimed.

On October 1, 1920, no claimant having appeared for the property, an order was entered by the court finding the product misbranded and directing that the same be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8997. Misbranding of Tratamiento Zendejas. U. S. \* \* \* v. 420 Bottles, 7 Bottles, and 286 Bottles of Tratamiento Zendejas. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12420, 12421, 12422. I. S. Nos. 9690-r, 9691-r, 9692-r, 9693-r, 9694-r. S. Nos. C-1901, C-1902, C-1903.)

On April 30, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 420 bottles, 7 bottles, and 286 bottles of an article, labeled in part "Tratamiento Zendejas," at San Antonio, Tex., alleging that the article had been shipped on or about February 6, 1920, March 6, 1920, March 9, 1920, October 11, 1919, March 5, 1920, and March 25, 1920, by Panfilo Zendejas, Los Angeles, Calif., and transported from the State of California into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of potassium iodid, unidentified plant extractives, and sugar.

It was alleged in substance in the libel that the article was misbranded for the reason that the labeling of the article contained the following statements and claims, "Zendejas Treatment A Strong Purifier of the Blood A Blood Depurator for rheumatism, constipation, kidney trouble, eczema," (wrapper) "Zendejas Treatment, a strong purifier of the blood A Blood Depurator," (folder, light gray, Spanish) "Zendejas Treatment for Men, Women and Children, Strong purifier of the blood \* \* \* Patients suffering from tumors, ulcers, eruptions and all kinds of suppurated manifestations \* \* \* those who suffer from suppurations whether tumors, scrofulas, wounds, fistulas \* \* \* the Zendejas Treatment removes all these impurities from the blood \* \* \* During the treatment with Zendejas Treatment no other medicine should be taken \* \* \* To those suffering from rheumatism pains will disappear in the first days not to appear again \* \* \* If the teeth have become loose on account of mercury taken by the patient \* \* \* As the treatment works with such rapidity that their pains disappear \* \* \* they should not believe \* \* \* they are already safe but should continue the treatment until a cure is obtained. The treatment to be complete should be \* \* \* without interruption until 10, 12, or 15 bottles have been taken \* \* \* if the disease \* \* \* is \* \* \* paralysis, loss of sight, chronic rheumatism, or extremely large or deep ulcers, a greater number of bottles should be taken," (folder, light green, Spanish) "Zendejas Treatment Strong Purifier of the Blood For all Sexes For all Ages \* \* \* is notably antagonistic to some germs \* \* \* it makes it unnecessary for the patients to incur the steady expense of consulting physicians \* \* \* No disturbance of the digestion and no loss of appetite \* \* \* the Zendejas Treatment has the same effect on the blood as a purgative or laxative on the digestion. On account of its composition the Zendejas Treatment acts as a very strong purifier of the blood, as the most active regenerator of the nutritive fluid, as the most energetic reconstituent which may create well being and hope in a large number of patients whose depressed and sad appearance is a sure sign of constant disturbance in the digestive apparatus, impoverishment of blood and lack of nervous energy, the most assimilable

and eliminable medicine for all impurities of the blood \* \* \* the inventor is able to recommend this medicine with so much more confidence being convinced that so far none has given such good results with blood diseases of all kinds and diseases of secondary order such as anemia, chlorosis, jaundice, and some skin diseases \* \* \* diseases originating from impurity of the blood, pimples, headache (acute pain in the head), dyspepsia, intestinal irregularities produced by the use of mercury, eczema, epilepsy or fits, insomnia, sores, lack of respiration, memory, sleep and appetite, poor digestion, constipation, seasickness, neurasthenia, rheumatism, suppuration of the eyes or ears, tumors, scrofula, fatigue caused by overwork, wounds, suppurating fistulas and tumors which do not heal, some diseases of the sight, nervous affections, paralysis, lack of \* \* \* the cause of all these diseases is a single one \* \* \* the cause of the diseases for which the Zendejas Treatment is used in impurity of the blood; the effects are the diseases mentioned. If the blood is purified, all these diseases will disappear," (sticker) "'\* \* \* Diabetic patients will have to take the medicine straight," which said statements and claims were false and fraudulent for the reason that the drug contained no ingredient or combination of ingredients capable of producing the effect claimed.

On June 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8998. Misbranding of Texas Wonder. U. S. \* \* \* v. 35 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12588. I. S. No. 9685-r. S. No. C-1871.)

On May 6, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 bottles of an article, labeled in part "Texas Wonder," at Austin, Tex., alleging that the article had been shipped on or about March 21, 1920, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

It was alleged in substance in the libel that the article was misbranded for the reason that the carton in which the bottles of the article were inclosed contained the following statements and claims regarding the curative effects of said article, "The Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circulars) "In cases of Gravel and Rheumatic Troubles it should be taken every night in 25-drop doses until relieved. \* \* \* In treating children for bed-wetting \* \* \* For Kidney and Bladder Troubles, Rheumatism and Kindred Diseases, \* \* \* has been employed with success in Rheumatism, Diabetes, Kidney and Bladder Troubles, cases of Gravel and other kindred diseases," (testimony of Louis A. Portner) "'\* \* \* began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys \* \* \* . His urine contained 40% pus \* \* \* was still using the medicine with wonderful results, and his weight had increased," which were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8999. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 41 Boxes and 30 Boxes of \* \* \* Dr. Martel's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13356, 13460. I. S. Nos. 10009-t, 10218-t. S. Nos. W-676, W-695.)**

On August 23, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 41 boxes and 30 boxes of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the French Drug Co., New York, N. Y., alleging that the article had been shipped on or about July 6, 1920, and during the month of August, 1920, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of white tablets composed essentially of oil of savin and ferrous sulphate and carbonate.

It was alleged in substance in the libels that the article was misbranded for the reason that the label on each box and the printed circular within each box bore statements, regarding the curative and therapeutic effects of said pills, (box) "Dr. Martel's Female Pills \* \* \* A preparation for (suppression of the menses) Dysmenorrhœa (painful menstruation) and similar functional derangements," (circular) "Dr. Martel's Female Pills. A Scientifically Prepared Remedy for medical purposes for Disturbances of the Menstrual Functions \* \* \* For Amenorrhœa (Suppression of the Menses, due to colds, ill health, and other morbid causes). Take one pill three times daily \* \* \* In all such cases we earnestly recommend that a regular course of treatment with Dr. Martel's Female Pills be taken at each period for three or four months, when our medicine will be found to give lasting benefit and genuine relief," which were false and fraudulent in that the pills contained no ingredients or combination thereof capable of producing the curative or therapeutic effect claimed.

On October 8, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9000. Adulteration of tankage. U. S. \* \* \* v. Chicago Feed & Fertilizer Co., a Corporation. Plea of guilty to count 1. Fine, \$100 and costs. Remaining counts nolle prossed. (F. & D. No. 9598. I. S. No. 11832-p.)**

On May 1, 1920, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 5 counts against the Chicago Feed & Fertilizer Co., a corporation, trading at Osborn, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on or about February 14, 1918, in the first count of said indictment (the remaining counts thereof having subsequently been nolle prossed), from the State of Indiana into the State of Illinois, of a quantity of tankage which was adulterated. The article was sold under a contract requiring "about 10% ammonia \* \* \*."

Analysis of a sample of the article from the shipment of February 14 by the Bureau of Chemistry of this department showed that it contained glass and 5.85 per cent of ammonia.

Adulteration of the article was charged in the indictment for the reason that a product containing less than 10 per cent of ammonia had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for tankage containing 10 per cent of ammonia, which the article purported to be, and for the further reason that an added poisonous and deleterious ingredient, to wit, glass, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality.

On July 1, 1920, a plea of guilty to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. Nolle prosequi was entered as to the remaining counts.

E. D. BALL, *Acting Secretary of Agriculture.*

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